

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

PUBLIC HEARING

TUESDAY
APRIL 3, 2001

The hearing came to order at 1:00 p.m. in Suite 220, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, Sheila Cross Reid, Chair, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

Sheila Cross Reid	Chairperson
Susan Hinton	Board Member
Carol Mitten	Board Member
Ann Renshaw	Board Member

COMMISSION STAFF PRESENT:

Beverly Bailey	Zoning Specialist
Paul Hart	Zoning Specialist
John Nyarku	Zoning Specialist
Marie Sansone, Esq.	Corporation Counsel
Arthur Jackson	Office of Planning

C-O-N-T-E-N-T-S

<u>AGENDA ITEM</u>	<u>PAGE</u>
PRELIMINARY MATTERS.....	5
<u>APPLICATION OF SOUTHWEST CHURCH OF CHRIST, INC.:</u>	
<u>16650 ANC-1A</u>	7
<u>WITNESS</u>	
LARRY BONNER	8
BARBARA ALEXANDER	14
MEL MYERS	20
ARTHUR JACKSON Office of Planning	47
ELIZABETH McINTIRE	62
JOHN BRILL	69
SHAYNA VEAZIE	74
MINA VEAZIE	75
STEPHEN KLINE	78
ANDREW KRIEGER	82

P-R-O-C-E-E-D-I-N-G-S

CHAIRPERSON CROSS REID: Good afternoon. The meeting will please come to order. Please pardon our delay. Good afternoon, ladies and gentlemen. This is the April 3rd public hearing at the Board of Zoning Adjustment at the District of Columbia.

My name is Sheila Cross Reid, Chairperson. Joining me today is Anne Renshaw, Vice Chairperson, Susan Hinton representing the National Capital Planning Commission, and representing the Zoning Commission is Carol Mitten.

Copies of today's hearing agenda are available to you. They are located to my left near the door. All persons planning to testify either in favor or in opposition are to fill out two witness cards. These cards are located on each end of the table in front of us. When coming forward to speak to the Board, please give both cards to the reporter who's sitting to my right.

The order of procedure for special exception variances is, 1, statement of witnesses of the applicant, 2, government reports including Office of Planning, Office of Public Works, etcetera, then report of the Advisory Neighborhood Commission, then parties and persons in support, then parties and persons in opposition and, lastly, closing remarks by the applicant.

Cross examination of witnesses is permitted by

1 the applicant or parties. The ANC within which the property is
2 located is automatically party in the case. The record will be
3 closed at the conclusion of each case except when specifically
4 requested by the Board, and the staff will specify at the end
5 of the hearing exactly what is expected.

6 The Sunshine Act requires that the public hearing
7 in each case be held in the open before the public. The Board,
8 consistent with its rules of procedure and the Sunshine Act,
9 enter executive session during or after the public hearing on a
10 case for purposes of reviewing the record or deliberating on
11 the case. Decision of the Board in these contested cases must
12 be based exclusively on the public record. To avoid any
13 appearance to the contrary, the Board requests that persons
14 present not engage the members of the Board in conversation.

15 Please turn off all beepers and cell phones at
16 this time so as not to disrupt these proceedings. The Board
17 will make every effort to conclude the public hearing as near
18 as possible to 6:00 p.m. If the afternoon cases are not
19 completed before 6:00 p.m., the Board will assess whether it
20 can complete the pending case or cases remaining on the agenda.

21 At this time, the Board will consider any
22 preliminary matters. Preliminary matters are those that relate
23 to whether a case will or should be heard today, such as
24 requests for postponement, continuance or withdrawal, whether
25 proper and adequate notice of the hearing has been given. If

1 you're not prepared to go forward with the case today or if you
2 believe that the Board should not proceed, now is the time to
3 raise such a matter. Are there any preliminary matters?

4 MS. BAILEY: Yes, Madam Chair. The first
5 application, Marilyn and Paul Pearlstein, Application No.
6 16640. The applicants are requesting that that application, or
7 have requested that the application be withdrawn.

8 CHAIRPERSON CROSS REID: Okay. In that regard,
9 there's no action really for us to take except to let it be
10 withdrawn if they choose.

11 MS. BAILEY: Absolutely, Madam Chair.

12 CHAIRPERSON CROSS REID: We'll just note it for
13 the record.

14 MS. BAILEY: Absolutely.

15 CHAIRPERSON CROSS REID: Okay. Thank you.

16 MS. BAILEY: Then the last and only case of the
17 afternoon is Application No. 16650 of Southwest Church of
18 Christ, Inc., pursuant to DCMR 3104.1, for a special exception
19 under Subsection 334.1 to establish a community service center
20 for a community residential facility center to support
21 individuals and their families in an R-4 District at premises
22 1305 through 1307 Irving Street, N.W., Square 2848, Lot 69.

23 All those wishing to testify, would you please
24 stand. All those persons wishing to testify on the Southwest
25 Church of Christ, please raise your right hand.

1 (The witnesses were sworn.)

2 MS. BAILEY: Thank you. Please have a seat.

3 Madam Chair, while the applicant is coming
4 forward, just a couple of preliminary matters. We do have a
5 report from the Office of Planning. However, that report was
6 filed late, and a waiver is needed to accept the report into
7 the record. We have a report from the Department of Public
8 Works and also from the D.C. Fire and Emergency Medical
9 Services Department. There is an ANCI report recommending
10 approval of the application. There is no request for party
11 status, but we do have persons who have expressed either
12 concern or opposition to the application, and you are provided
13 with a list of those, and the case is now ready to go forward.

14 CHAIRPERSON CROSS REID: Okay. Thank you. I
15 have no objection to waiving the rules to accept the Office of
16 Planning report in that it was filed late.

17 BOARD MEMBER MITTEN: I agree, Madam Chair.

18 CHAIRPERSON CROSS REID: By consensus, we'll
19 accept it. All right.

20 MR. MYERS: Madam Chairman and fellow
21 Commissioners, my name is Mel Myers. I and my colleague,
22 Barbara Alexander, have been retained as counsel by the
23 Southwest Church of Christ in this matter, and I'd just like to
24 outline what we'll be speaking about today.

25 First, Mr. Bonner will be speaking to you. He's

1 representing the Southwest Church of Christ in the matter, and
2 he'll be speaking about the organization and how this project
3 came about and what they feel like the community needs are for
4 this type of community service center.

5 Next, my colleague, Barbara Alexander, will speak
6 to the legal requirements under D.C. Title XI DCMR Subsection
7 334.1, the legal requirements for a special exception for a
8 community service center such as this. Finally, I will speak
9 about the neighborhood concerns and the process that we've gone
10 through with the ANC and the neighborhood meetings preceding
11 the ANC meetings and the concerns, and what we've done to
12 address those concerns.

13 So without any further, I'll pass it to Mr.
14 Bonner to speak.

15 MS. SMITH: I'll just identify myself for the
16 record. My name is Brenda Smith. I'm an associate professor
17 at American University in the Washington College of Law, and
18 I'll be supervising these students. I won't be saying very
19 much, but I'll be here in order to supervise them.

20 MR. BONNER: Hi, my name is Larry Bonner. I'm a
21 trustee, one of the trustees for the Southwest Church of
22 Christ, Inc., which is located at 1303 Irving Street. The
23 Southwest Church of Christ owns the two buildings in question
24 at 1305 and 07 Irving Street, which is the property we're
25 asking the BZA to grant a special exemption. We're seeking a

1 special exemption so that we can provide services that we think
2 are needed in the community in partnership with Parents
3 Striving for Joy to operate a community service center. We're
4 talk a little bit more about how we got involved with Parents
5 Striving for Joy a little later.

6 Southwest Church of Christ operated this property
7 as a community service center in the past with a special
8 exemption from the BZA from 1975 to 1978 and, from 1981 until
9 the spring of 1999, we leased the property to -- Missionary
10 Foundation as a community residence facility. It was a group
11 home that housed some disabled people. Since the community
12 residence facility ceased its operation, the property has been
13 vacant and, since that time, we've had some vandalism. People
14 going there, breaking in and finding a place to stay and using
15 the shelter as, I guess, residence really. We boarded the
16 building back up again to prevent that, but that's what's
17 happening to it now.

18 Southwest Church of Christ has been a presence in
19 Columbia Heights for more than 50 years and, during that time,
20 we've seen our neighborhoods go through a number of changes,
21 some positive, some negative. Since those 50 years, we've had
22 a lot of our members who once lived in the District, for
23 whatever reason, as the flight goes, a lot of people left the
24 inner city and moved to Maryland, Virginia, and so forth, and
25 so we have a mixture of people. Our church consists of people

1 from Washington, Maryland, and Virginia.

2 Over the past several years, the church has made
3 a conscious decision not to leave, stay in the community, stay
4 in the neighborhood. We also made a decision not to locate to
5 Virginia or Maryland, as some churches have. Our commitment
6 was to stay within the northwest, preferably Columbia Heights,
7 community. So that was our commitment to stay, so that's why
8 we're still there.

9 Over the past, the church has considered a
10 strategy. We began providing service to help improve the lives
11 of some of the neighborhood residents whom we come in contact
12 with. To be honest about it, the church has sometimes -- we've
13 provided financial support and food and so forth to people in
14 the community. We didn't advertise it too much because if you
15 did, you'd get a flood of people coming asking for financial
16 assistance, so we kept it a little quiet, but we do it anyway.

17 It's our mandate and our mission to do that. And we
18 prematurely received a grant to open this center, but we let it
19 go back because we had no space to house these services. But
20 we committed to helping the community.

21 Some months ago when the -- Missionary Foundation
22 moved out of the community, they left this vacant building. It
23 was our chance to do what we had always wanted to do, provide a
24 service to the community. The church is rather small. It had
25 one facility there that we used for our church activities, but

1 when these two buildings came vacant, we saw a wonderful
2 opportunity to do what we had said we were going to do.

3 So Parents Striving for Joy is here to justify as
4 a supporting witness for this exemption, and they can explain
5 who they are and what program they plan to provide at 1305 and
6 07 Irving Street. So on behalf of the Southwest Church of
7 Christ, I can tell you that we would like to work with Parents
8 Striving for Joy and others in the community and its youth
9 programs to provide a number of services to the community like
10 arts and crafts for the adults and children on alternate
11 Saturdays between 10:00 and 3:00 and so forth, and we have
12 people volunteer to provide these arts and crafts.

13 We were impacted. We were very concerned about
14 what we noticed in the community. We have more of our kids
15 that are going to jail than they are going to church. We feed
16 them into this justice system that we don't think is doing them
17 any good, and we have made a commitment to stay and try to do
18 something about it. We can't do it all. We can only
19 contribute our fair share or our part, and that's what we're
20 committed to do.

21 In addition, the church would like to provide
22 teen crisis intervention. That program will go between 6:00
23 and 10:00. What we discovered is that sometimes when we're at
24 the facility, teenagers are on the street and sometimes they
25 need help. So we decided periodically we would make sure that

1 something, a place or an office, is open for them to come and
2 get special counseling. We want to have professional and
3 pastoral counseling as needed between 9 a.m. and 5 p.m. and
4 hopefully we can come up with some high tech training and
5 computer access between 9:00 and 5:00.

6 We would like to thoroughly train about 10 people
7 from the community to be able to create a career out of this
8 new technology that's taking place for those that's interested
9 in the aptitude. We have been committed to about 10 computers
10 that we're going to put together to provide this training to
11 about at least 10 people so that we help them.

12 For the teen crisis program, we will operate from
13 6:00 to 10:00 to assist kids who are getting into trouble or
14 have no place else to go. We would like to give them some
15 assistance, maybe a meal, some counseling, finding a shelter
16 for them to stay for the evening, or get them home safely.
17 That's our commitment. We discussed this program with
18 concerned neighbors at the ANC special meeting on March 21st
19 and that this program would operate on an as needed basis and
20 it would be closed at 10:00 and no one would be staying
21 overnight. Some nights we might not have any at all, but it's
22 not -- as I say -- we're not interested in opening a group
23 home. It's more like an office where people come and get the
24 service and they go on home.

25 As far as the pastoral and professional

1 counseling, unemployment and families in crisis are big issues
2 for the Columbia Heights community, and we have licensed
3 professional counselors and a minister who agree to provide
4 certain services. So we have the people in place to do that.

5 We have a group in Fairfax County agreed to
6 donate about 10 of these computers to us and we can hire an
7 instructor and provide high tech training to neighborhood
8 residents. Going through this training, we will provide career
9 counseling, skill building, confidence building, and that kind
10 of thing to make sure that they get them ready to go back into
11 the market place.

12 At this time, I'll stop and you might have some
13 more questions later on. I'll be happy to do it. Our counsel
14 from American University Law Center is going to discuss how our
15 proposal meets the requirement for a community service center
16 at this location and how we have been working to address these
17 neighborhood concerns.

18 MS. ALEXANDER: Good afternoon, Madam Chair and
19 fellow Commissioners. Once again for the record, my name is
20 Barbara Alexander, and I'm with the American University Law
21 Clinic located at 4801 Massachusetts Avenue, 20016.

22 The first issue that I wanted to bring to your
23 attention, I didn't hear it listed as one of the preliminary
24 matters, but we did submit a brief which is in your file and it
25 was submitted past the 14 day deadline. We had submitted a

1 cover letter requesting that that regulation under 3113.8 be
2 waived because of the time. The ANC hadn't held its special
3 session yet, and we had not collected our petitions and the
4 letters from the neighborhood residents. So we submitted this
5 eight days ahead of schedule, and we're asking that the Board
6 waive the 14 day deadline so that we can reference this memo
7 and have it included in the record.

8 CHAIRPERSON CROSS REID: You said that you had a
9 memo that you had submitted eight days ahead of the time you
10 were supposed to have it in?

11 MS. ALEXANDER: Eight days ahead of this hearing
12 today.

13 CHAIRPERSON CROSS REID: Oh. It was late by --

14 MS. ALEXANDER: It was late by six days.

15 CHAIRPERSON CROSS REID: -- by six days.

16 MS. ALEXANDER: Right.

17 CHAIRPERSON CROSS REID: All right. I have no
18 problem with waiving the rules to allow your submission to come
19 in.

20 MS. ALEXANDER: Okay. Thank you very much.

21 What I'm going to do today is I'm just going to
22 give you a brief update on what we've done since January 9th
23 which, as you may know, the hearing was continued on January
24 9th at the request of the ANC, who had not had time to weigh in
25 because of the elections and the turnover and, at that time,

1 Mr. Bonner agreed to postpone the hearing in order to get
2 community input and have the ANC have an opportunity to submit
3 its report.

4 Also since that time, the beginning of February,
5 Mr. Bonner and the Southwest Church of Christ retained us as
6 counsel to help them work through their applications and one of
7 the things that I did want to draw to the Board's attention, as
8 we know, it's a matter of concern, that we do recognize the
9 neighbors' concerns that they have with this application, and
10 what we did, in addition to having the ANC meetings, on March
11 1st we held a neighborhood meeting and on February 20th we
12 distributed or mailed via first class mail to all residents
13 within the 200 square foot radius, as dictated by the BZA, for
14 this particular meeting and we also followed that up on
15 February 27th with a flyer distribution that took us outside
16 the 200 square foot radius to a two block perimeter.

17 At that meeting, very few neighbors showed up.
18 We did have a couple though, so we feel confident that our
19 notice was distributed and that those that were interested in
20 attending did come.

21 My partner, Mel Myers, will speak a little bit
22 more about what happened at the ANC, but what really I want to
23 focus on is how this application meets the requirements of
24 Section 334, and I'd like to just direct the Board's attention
25 to a case that we found which was Gladden v the D.C. Board of

1 Zoning Adjustment, a 1995 case that helped us frame our
2 argument that says, and I quote, "The Board's discretion to
3 grant special exceptions is limited to a determination whether
4 the exception sought meets the requirements of the regulation."

5 So based on that precedent, I'm just going to walk through and
6 using the memo that we submitted which I don't have the exact
7 exhibit number but it should be towards the end, it's probably
8 the bulkiest part of your record, I'm just going to walk
9 through and explain how we do actually meet these requirements
10 and why the Board of Zoning should approve this special
11 exception.

12 As I'm sure the Board knows, under Section 334.1
13 we have the burden of proof of showing that a community service
14 center would improve the social or economic well being of the
15 residents of the neighborhood. We used as our background
16 resources for this Exhibit G which is a January 1999 Urban
17 Institute study. It's an independent study, and it identified
18 some of the common problems and barriers to employment that are
19 facing Columbia Heights residents, namely education, lack of
20 training, and personal problems. This report in Exhibit G also
21 identified neighborhood youth, affordable housing, and
22 genderfication as other community concerns and, in looking to
23 this, the applicant has tried to, in working with Parents
24 Striving for Joy and Columbia Heights Village together, design
25 programs that would address these needs.

1 The program specifically that Mr. Bonner has
2 already talked about that they would like to propose or that
3 they're proposing to do to address these needs are an after
4 school child's program, teen crisis intervention, high tech
5 training, career development, and pastoral and professional
6 counseling. It's our argument that these would actually help
7 improve the social and economic well being of the community and
8 address some of these troubling issues.

9 Additionally, the church feels that the community
10 service center could help address these problems and make more
11 improvements than a community-based residence facility, which
12 was its previous use and which is the likely use that it would
13 revert to as a matter of right if a special exception is not
14 granted. The church has been approached by community-based
15 residence facilities, and the church is trying to recognize the
16 concerns of the neighbors that they actually don't want any
17 more community-based residence facilities in their area.

18 And finally, as the ANC report will present, the
19 ANC ward has actually stated in its resolution approving
20 support of this application that it has been on record for many
21 years as opposing community-based residence facilities.

22 Under Section 334.2, we have the burden of proof
23 of requiring that the community service center is not located
24 so as to become objectionable to neighboring properties. The
25 Office of Planning has submitted a report that said, Due to the

1 alley and the rear yard surrounding 1305 and 07 as well as the
2 fact that the proposed programs are going to take place inside
3 the building, that the applicant did not meet or did satisfy
4 the justification for proving that they wouldn't be
5 objectionable to the neighboring properties. That's BZA
6 Exhibit No. 24 in your file.

7 Next, under 334.3, the structural changes, the
8 church has no plans on making structural changes other than
9 would be required by municipal regulations. They're just going
10 to be painting and improving the interior.

11 And then finally, under Section 334, it requires
12 that we show that the community service center be reasonably
13 necessary and convenient to the neighborhood. Once again, we
14 direct your attention to BZA Exhibit 24. The Office of
15 Planning found justification to support a community service
16 center. Also in your file and will be presented today, the ANC
17 has voted to support this application after listening to
18 neighbor testimony on not one but two occasions, first on March
19 14th where they didn't have a vote and then again on March
20 21st. And I would just direct the Board's attention to Section
21 3115.2 of the DCMR which says that the ANC's favorable report
22 should be given great weight.

23 And finally, I'd like to direct, as support that
24 this is reasonably necessary and convenient to the
25 neighborhood, the Board's attention to Exhibit H which is a

1 petition with 144 area residents' signatures in support of the
2 community center at 1305-07 Irving Street and, based on this
3 information in the record and as explained here, we feel that
4 we've met the burden that's set out for us in 334.

5 And now I'm going to turn it over to my
6 colleague, Mel Myers, who's going to speak a little bit more
7 about how we've addressed neighborhood concerns and how those
8 don't affect our ability to have met the requirements.

9 MR. MYERS: Hi. Once again, I'm Mel Myers. Just
10 for the record, I'm from American University Law Clinic.

11 What I would like to address today are some of
12 the concerns in this process. As Ms. Alexander, this process
13 sort of began and we were retained as counsel after the January
14 9th postponement so that the ANC could hear this case. In
15 preparation for this meeting, as Ms. Alexander said, we did
16 hold a neighborhood meeting on March 1st and then the two
17 subsequent meetings on March 14th and March 21st.

18 I'd like to address the main concerns that we
19 gathered from these meetings that the residents in the area and
20 the neighbors were concerned with and how the church has
21 addressed these concerns and why in the end the ANC did approve
22 our application because they were satisfied that we did address
23 these concerns satisfactorily.

24 The first concern that the neighbors had with
25 this application was they felt like there's a duplication of

1 services. They felt like there were a lot of social services
2 in the area and that we don't need another one, just to sort of
3 curtly state what some of the opinions of a few of the
4 neighbors were. We feel like there is, as the Office of
5 Planning has pointed out and Parents Striving for Joy, which is
6 the organization in partnership with the church in this matter,
7 the church has -- there are 700 children in the Columbia
8 Heights Village. This is the main constituency that this
9 service center will be providing services to the 700 children.

10 To only a part. This is a space. There is a neighborhood.
11 We, of course, can't provide services for all these 700
12 children, but this just sort of proves that there is a need for
13 these types of services in the neighborhood. There are many
14 children in the neighborhood and there are a definite need for
15 these types of services.

16 The second point that we'd like to make that we
17 addressed is there was a misunderstanding about the differences
18 between a community residence facility and the community
19 service center. Many of the neighbors did feel -- and it
20 partly comes out of the application that we had for this Board
21 of Zoning hearing in January, and I read quoting the
22 application -- you have it before you in this agenda.
23 "Application of Southwest Church of Christ, Inc., pursuant to
24 11 DCMR 3104.1 for a special exception under Subsection 334.1
25 to establish a community service center for a community

1 residence facility." That "for" should probably say "in lieu
2 of a community residence facility." The misunderstanding was
3 that many neighbors felt, and I can point to Exhibit 33, for
4 example, which is a letter in opposition to this application,
5 that points to the neighbors' feeling that this is going to be
6 a community residence facility, and I just wanted to -- one of
7 the things we tried to point out to the neighbors at these
8 meetings is this. We are not applying for a community
9 residence facility. This is a community service center, and it
10 is distinct. So I think a lot of -- some of the opposition
11 indeed, probably a lot of the opposition involved this
12 misunderstanding. So we did address that at all three of these
13 meetings and made sure that was clear to the neighbors.

14 Finally, notwithstanding the church's feeling and
15 Parents Striving for Joy, that there is a need for these type
16 of services in Columbia Heights, again, my colleague cited the
17 Urban Land Institute study, notwithstanding the differences
18 between -- there was a citing that there were other service
19 centers in the area in a 200 square foot radius but, in fact,
20 those are community residence facilities and they're not
21 community service centers, and so we'd like to make that
22 distinction as well.

23 Again, my partner, my colleague, cited Gladden v
24 District of Columbia Board of Zoning. In that case, and I'll
25 quote from that case again, the Court of Appeals said, In our

1 view, the regulations require the Board only to determine
2 whether the number of similar facilities in the area in and of
3 itself has an adverse impact on the neighborhood rather than
4 whether the area has a disproportionate share of facilities or
5 has a lot of facilities. So according to the Court of Appeals,
6 the Board of Zoning should only consider the adverse impact,
7 which is the requirement under Subsection 334.1 as opposed to
8 the duplication of services in the area.

9 The next central sort of what we felt was another
10 big concern of the neighbors was the parking and traffic.
11 Irving Street is a busy street and they felt like this would
12 just add to the traffic on Irving and 14th Streets. Regulation
13 2101.1 requires that this -- requires one parking space for
14 every 600 square feet. I want to cite the Office of Planning
15 report which is Exhibit 24, page four, which recommends that
16 this application receive an exemption because of the localized
17 need of the services. The clients that we will be serving and
18 much of the staff will come from the immediate area, including
19 Columbia Heights Village, as a majority, which is one block
20 away. It's within walking distance. It is a service center
21 for the community and most of the clients and staff will be
22 walking to the center.

23 In addition, I want to point out that there is a
24 Metro stop one block away and the parking regulations do give
25 that weight and the Board of Zoning should give that weight as

1 persuasive when you're considering whether to give exemptions
2 for parking requirements.

3 And finally, we did at the ANC meeting on March
4 21st, we agreed -- the ANC as part of the condition for
5 recommending the application, we will make sure that any staff
6 and clients are aware of the residential parking lots which are
7 two hour limits on street parking for Irving Street and 14th
8 Street and, in addition, we will try our best to work with
9 Columbia Heights Village, which is representing Parents
10 Striving for Joy, to provide off street parking for any clients
11 or staff that need it.

12 Finally, I'll just reiterate what happened at the
13 ANC and what the outcome was. Again, the ANC approved our
14 application six to zero. We agreed at the ANC meeting to run
15 our programs. There was a concern about noise and the youth
16 after school programs that we will be running, how late they
17 would go, and we agreed to stop the youth programs at 7 p.m.,
18 to run them no later than 7 p.m. and we'll only be running the
19 teen crisis intervention which will be a walk-in individual
20 basis. That will be run until 10 p.m., but we will not be
21 running any programs, regularly scheduled programs, past 7 p.m.

22 Another agreement. We want to work. We are a
23 community service center. We would like to work with the other
24 social service centers in the community to optimize services
25 and make sure we're not overlapping and we're being as

1 effective as possible, and we will make the best effort.
2 Parents Striving for Joy and the church do have relations with
3 the other service centers, and we will work with them.

4 Finally, the church volunteered to hold meetings
5 every three months to consult with the community, to get their
6 input, ideas, concerns, about any of these issues and any
7 additional issues that might arise once the service center
8 opens. So we will hold meetings every three months, very much
9 like our March 1st meeting, to give anybody who wants to come
10 an opportunity to speak.

11 And now I will defer to I guess the governmental
12 reports. If you have any questions, I'd be more than happy to
13 answer them about any of these issues.

14 CHAIRPERSON CROSS REID: Okay. I'll start. I do
15 have a couple of questions and one was in regard to the CDRF,
16 the certificate of occupancy that had been issued, I think was
17 issued in 1981, and how long was that? You said until about
18 how many years ago? It existed for how long?

19 MR. BONNER: About 15 years.

20 CHAIRPERSON CROSS REID: Okay. Fifteen years.

21 MR. BONNER: Yes. He closed his operation in
22 April of 2000.

23 CHAIRPERSON CROSS REID: Okay. And that was for
24 disabled people?

25 MR. BONNER: Yes.

1 CHAIRPERSON CROSS REID: Only?

2 MR. BONNER: Right.

3 CHAIRPERSON CROSS REID: And prior to that, it
4 was -- I noted in the previous order, it had been consistent
5 with the community service center.

6 MR. BONNER: Right.

7 CHAIRPERSON CROSS REID: Okay. And that's what
8 you are here before us today for. Okay.

9 MR. BONNER: Right.

10 CHAIRPERSON CROSS REID: Now, part of the problem
11 that has come up, I think because of the mis-advertising of the
12 facility as a CDRF initially, that caused a lot of problems. I
13 think that was part of what you had to do was try to diffuse
14 that perception of what was actually going to be put there.
15 And I think that from what you can garner, having met now with
16 the community, were you able to accomplish that to any great
17 degree?

18 MR. MYERS: I think most of the neighbors are
19 aware. There are -- I think Exhibit 33 was written after the
20 March 21st meeting or on the same day. They did hear our
21 testimony that we were not going to run a community residence
22 facility, but then they still wrote a letter saying that they
23 think it's going to be a community residence facility because
24 they've read the application. It's just a misleading notion of
25 four and four in this paragraph in the application just should

1 be probably in lieu of a community residence facility.

2 CHAIRPERSON CROSS REID: Okay.

3 MR. MYERS: And so I think a lot of the neighbors
4 just didn't understand. The language us sort of misleading.
5 It's a little confusing. So I think that we did clear up that
6 distinction I think with the majority of neighbors. There
7 might be a few exceptions.

8 CHAIRPERSON CROSS REID: Okay. Another thing was
9 there was an assertion in some of the material that was
10 submitted by the opposition that the buildings are supposed to
11 be sold within three years.

12 MR. BONNER: No. The community service center is
13 for three years and, at that particular time, we have option to
14 selling it or coming back and getting an extension, another
15 hearing. But there's no commitment to sell it in three years.

16 CHAIRPERSON CROSS REID: There ius no commitment
17 whatsoever for selling the facility within three years.
18 However, you're asking for the community service center for a
19 term of three years. Is that correct?

20 MR. BONNER: Yes. We understood that's the
21 length of time that you can have it and temporary meant three
22 years.

23 CHAIRPERSON CROSS REID: Oh, really? Where'd you
24 get that?

25 MR. BONNER: In reading those regulations, I

1 thought it said three years.

2 CHAIRPERSON CROSS REID: Only three?

3 MS. SANSONE: Madam Chair, that regulation was
4 amended, and the community service centers are no longer
5 treated as temporary facilities. They can be for a longer
6 duration.

7 MR. BONNER: Okay.

8 CHAIRPERSON CROSS REID: I was wondering where
9 all that came from.

10 MR. BONNER: That's why I --

11 CHAIRPERSON CROSS REID: Okay. You must have
12 been looking at some older regulations that we are in the midst
13 of cleaning up so that they will all be up to date.

14 Okay. Now I think that's my last one. In regard
15 to the ANC recommendations, your counsel most aptly set forth
16 those recommendations and, as I understand it, you have already
17 agreed to accept those and they can be perhaps made a part of
18 any order that would be issued here as a condition.

19 MR. BONNER: That's fine.

20 CHAIRPERSON CROSS REID: He spoke to all of them
21 except -- well, I don't see one. I thought I saw one regarding
22 deliveries. Oh, here. The staffing and supervision will be
23 sufficient in order to deliver services, but one other one that
24 we may talk about later was as far as delivery services at that
25 facility. We'll talk about that later. I have no further

1 questions. Board Members? Oh, parking. I'm sorry. In regard
2 to the parking, that was the other thing. Although the Zoning
3 Administrator did not stipulate that you needed relief for
4 parking, somehow this comes up. Ms. Sansone, it is something
5 that often the Board will add, even though the Zoning
6 Administrator doesn't if it's not an historic district, and I
7 saw it addressed in the Office of Planning report.

8 MS. SANSONE: Madam Chair, this is a somewhat
9 difficult situation with parking in this case because the
10 Office of Planning raised this issue but we don't have any
11 information that indicates the required number of parking
12 spaces and whether any might be considered to be grandfather'd
13 as a result of the building being older than 1958 or based on
14 previous uses. I did notice none of the prior certificates of
15 occupancy or approvals seemed to address parking, so the status
16 of the parking issue is very confusing. We did not include
17 that in our public notice as an item for relief.

18 CHAIRPERSON CROSS REID: But I did notice that
19 the applicant proactively took steps to try to address any
20 parking issues by making arrangements with the Columbia Heights
21 Village to accommodate you with off-street parking as needed.
22 Do you have any type of agreement with them in that regard?

23 MS. ALEXANDER: Not officially yet. They are one
24 of the organizations that's supporting this application, so
25 it's a matter of working out the details as to how to identify

1 the cars as being allowed to park there since, if they aren't
2 residents there already, if they were coming from somewhere
3 else. So we've agreed to work with them and make those details
4 more specific.

5 CHAIRPERSON CROSS REID: That might be something
6 that would be good to have as a part of the record.

7 MR. BONNER: We also plan to approach the school
8 across the street that does have parking, especially at night,
9 but during the day it's --

10 CHAIRPERSON CROSS REID: Evenings.

11 MR. BONNER: Yes.

12 CHAIRPERSON CROSS REID: That would be good to
13 work out some kind of relationship with them because, as you
14 said, if the school is not using the parking spaces in the
15 evening and on the week end, then that might be a good
16 relationship to establish. Okay. I have no other questions.

17 BOARD MEMBER MITTEN: Madam Chair, is Parents
18 Striving for Joy going to be a lessee? Are they going to rent
19 the building? Is that the relationship? Could you turn on
20 your mic when you answer.

21 MR. BONNER: No. The building is about 8,000
22 square feet of space, and we have looked at about three offices
23 they can use, but they will not lease the whole building. We
24 will maintain control of the building and will rent them out
25 some space in the building, but they won't be --

1 BOARD MEMBER MITTEN: Maybe you could clarify
2 that for me then. Is it just the space that Parents Striving
3 for Joy seeks to occupy that is the subject of this
4 application?

5 MR. BONNER: No. There will be also services
6 provided by the church. The youth program, they will be
7 responsible for taking care of the youth component of the
8 program, but the other services like family counseling and so
9 forth and so on will be the responsibility for the church. So
10 there will be nominal programs in the buildings. Of course,
11 there's two large buildings. So we agreed to let them use --
12 have access to other parts of the building also like there's a
13 kitchen and a cafeteria. They can use that, too. They will
14 have three offices they will house their programs in but have
15 access to the whole building if we're not using them.

16 BOARD MEMBER MITTEN: So the operation of the
17 community service facility as an entity is a joint effort on
18 the part of the church and Parents Striving for Joy.

19 MR. BONNER: Yes.

20 BOARD MEMBER MITTEN: Okay. In the application,
21 it says that the application applies to the first through third
22 floors of the building. How many floors does the building
23 have?

24 MR. BONNER: It actually has six stories with two
25 buildings, three each, then the basement.

1 CHAIRPERSON CROSS REID: No. It has three
2 stories and two buildings.

3 MR. BONNER: Two buildings.

4 CHAIRPERSON CROSS REID: Not six stories. It
5 sounds as if you have a six story building.

6 MR. BONNER: There's three floors on each
7 building and a basement.

8 BOARD MEMBER MITTEN: And what's the use that
9 will be made of the basement?

10 MR. BONNER: We are looking at the feasibility of
11 locating our community high tech training center in the
12 basement.

13 BOARD MEMBER MITTEN: So are you saying that your
14 application really applies to the basement through the third
15 floors of the building because the application itself says
16 first through third floors? We want to be clear about how much
17 of the building is going to be used.

18 MR. BONNER: We'll try to use the whole building
19 because there's a lot of space in the basement that's not being
20 used and it's a good place, we think, to put those 10
21 computers, secure them and so forth, and provide some training,
22 some high tech training.

23 BOARD MEMBER MITTEN: That may require an
24 amendment of your application.

25 MR. BONNER: Okay.

1 BOARD MEMBER MITTEN: Then we'll have to deal
2 with that as we go forward. So when you said 8,000 square
3 feet, that's the total square footage of both buildings, all
4 four levels.

5 MR. BONNER: Both buildings. Right.

6 BOARD MEMBER MITTEN: Okay. So who maintains the
7 responsibility to maintain the building?

8 MR. BONNER: The church.

9 BOARD MEMBER MITTEN: The church.

10 MR. BONNER: Right.

11 BOARD MEMBER MITTEN: There have been some
12 concerns raised in the record about maintenance of the
13 properties, and are you proposing to do any sort of minimum
14 level of maintenance as a threshold to get through this
15 application process? There's issues about peeling paint and so
16 on.

17 MR. BONNER: Well, someone suggested that we --
18 in the last week or so, we've had 32 college students come in
19 and paint of the building. We've been painting. But rather
20 than putting a lot of money in it right now, unless we get some
21 sort of agreement, we will just wait and see what happens. But
22 we will maintain the building. It's our responsibility. By
23 law, we have to do it.

24 BOARD MEMBER MITTEN: But is there anything that
25 you would like to basically proffer to the community that if we

1 get this application approved, we will do XYZ in terms of
2 maintenance?

3 MR. BONNER: We're going to do that anyway.
4 We're getting ready to place windows in the building. We're
5 getting ready to paint the building.

6 CHAIRPERSON CROSS REID: I think that what Ms.
7 Mitten is asking, Mr. Bonner, is could that made a condition?
8 Would you be willing to commit yourself to the types of things
9 that she's mentioning?

10 BOARD MEMBER MITTEN: Exactly.

11 MR. BONNER: Yes. We'll commit ourselves to
12 that.

13 BOARD MEMBER MITTEN: Okay. Could you put a list
14 together of those things that you are committed to doing in
15 terms of maintenance if you receive approval for this. That
16 would be helpful for us if we could get that.

17 MR. BONNER: Okay.

18 BOARD MEMBER MITTEN: Is there a minimum level of
19 staffing that you plan to maintain during your hours of
20 operation?

21 MR. BONNER: For the -- I think the Parents
22 Striving for Joy program, I think it's about six staff people
23 that'll be heading up the -- taking care of the youth program.

24 BOARD MEMBER MITTEN: And then how about the
25 church?

1 MR. BONNER: The church is about four
2 professional staff people will be on board to oversee the rest
3 of the programs, and some of them are volunteers.

4 BOARD MEMBER MITTEN: Would you be willing to
5 have as a condition that a minimum level of staffing during the
6 normal hours of operation would be 10 so that -- I think what
7 the community would like is some assurance that there are
8 responsible people on the premises during the hours of
9 operation and, if we could get some kind of commitment that a
10 minimum level of staff would be there, and if you think 10 is
11 too many, I mean I'm asking for you to tell me what's an
12 appropriate minimum level that you would be willing to be held
13 to that standard.

14 MR. BONNER: I could probably guess there would
15 be about four and some of those are full-time. Then there's
16 volunteer, then there's part-time. So about four full-time
17 permanent types and about four part-timers and the rest of them
18 are volunteers.

19 BOARD MEMBER MITTEN: So how about at any given
20 time on site there would be a minimum of four professional
21 staff. Would that be something that you'd be willing to commit
22 to?

23 MR. BONNER: Yes. They come and go, but the rest
24 of them come and go. Plus they won't be there every day. Some
25 of them won't be there every day.

1 BOARD MEMBER MITTEN: I think what would allay
2 some of the concerns of the community is that they want to know
3 that there are responsible people there and not one person
4 trying to oversee the operation.

5 I know you have seen the report by the fire
6 marshall who conditioned his approval of the application on the
7 installation of a sprinkler system.

8 MR. BONNER: It's already there.

9 BOARD MEMBER MITTEN: You have a sprinkler
10 system?

11 MR. BONNER: The whole building.

12 BOARD MEMBER MITTEN: Is that something new?

13 MR. BONNER: No. It's been there since -- the
14 residential facility required a sprinkler system, so they're
15 already there.

16 CHAIRPERSON CROSS REID: Maybe the fire marshall
17 didn't go out.

18 BOARD MEMBER MITTEN: Evidently not. Is it
19 functional?

20 MR. BONNER: Sure.

21 BOARD MEMBER MITTEN: Okay.

22 MR. BONNER: Yes. They're there already.

23 BOARD MEMBER MITTEN: All right. Well, that's
24 good.

25 MR. BONNER: All full. They're there.

1 BOARD MEMBER MITTEN: Will there be a caretaker
2 who -- will there be anyone who resides on-site?

3 MR. BONNER: There's a gentleman right now who's
4 staying in the basement to watch the -- keep people from
5 breaking in, and he agreed that he would stay on and oversee.

6 CHAIRPERSON CROSS REID: Like a caretaker?

7 MR. BONNER: Yes.

8 BOARD MEMBER MITTEN: So he'll reside in the
9 property?

10 MR. BONNER: Yes.

11 BOARD MEMBER MITTEN: Okay. So one caretaker.

12 MR. BONNER: Right now he's just watching the
13 building because people have been breaking in, and so we want
14 him to stay there and watch it. After we get this, we don't
15 know what he'll do. But right now he agreed to stay there
16 until we get the building staffed up.

17 BOARD MEMBER MITTEN: I think we want some kind
18 of clarity about going forward, whether or not once -- if you
19 get permission to have a community service center on the
20 property, will there be an on-site resident caretaker or not?
21 We want some kind of clarity about that.

22 MR. BONNER: Okay. We could say yes, he'll stay
23 there. He'll stay there as long as we need him.

24 BOARD MEMBER MITTEN: Well, you need to be -- not
25 as long as -- it'll be a condition of the approval that yes,

1 there will be an on-site caretaker.

2 MR. BONNER: There'll be an on-site caretaker.
3 He'll be there.

4 BOARD MEMBER MITTEN: Who resides on the
5 property.

6 MR. BONNER: Right.

7 BOARD MEMBER MITTEN: Okay. That's all I have
8 right now.

9 BOARD MEMBER RENSHAW: Yes, thank you. I wanted
10 to get a feeling from you, Mr. Bonner, as to the number of
11 individuals who can be in the house at any one time according
12 to the fire marshall. Do you know?

13 MR. BONNER: I don't have the fire marshall's
14 report.

15 CHAIRPERSON CROSS REID: I think, Ms. Renshaw,
16 that in the further processing that it has to go to the various
17 licensing and regulatory channels and such. The fire marshall
18 will stipulate as to the number.

19 BOARD MEMBER RENSHAW: I understand, but I
20 thought you would have this information for us since I asked
21 the question. You had a goals and objectives programs and
22 service components of the Family Investment in Youth
23 Development Center, and it talked about a lunch room to seat at
24 least 75 people. Are you saying that you are going to be
25 feeding 75 people during the week at any one time?

1 MR. BONNER: No. It will seat 75. It used to be
2 a lunch room for the senior citizens that was living there, and
3 it seated about 75. What we plan to do is to use it to like
4 some of the students come in in the evening for services, they
5 can use it for snacks and stuff like that, but it can seat 75.

6 We don't plan to make it a lunch room per say but there's a
7 stove, a kitchen, and that kind of stuff.

8 BOARD MEMBER RENSHAW: What I'm trying to get at
9 is how many people do you envision being in the premises during
10 the day at any one time? I'm trying to get a feeling for
11 whether you're going to have very small groups or whether the
12 numbers will surge to 75 or more at any one time. What do you
13 say about that?

14 MR. BONNER: I would say during the day from 9:00
15 to 5:00, it'll be up to at least 25 people because the training
16 center can only house about 10 people with the instructor.
17 Some of the other services like counseling, it could be two or
18 three at a time come in for counseling. We don't really know
19 how many will use the facility for coming and receiving
20 counseling, but it could be. During the day, I think it'll be
21 about -- I think there's about 25 kids will be doing the
22 afternoon program. There'll be about 25 - 30 kids coming in the
23 evening.

24 MS. ALEXANDER: If I could just jump in for a
25 moment, Mr. Bonner, to just address that we had been -- as Mrs.

1 Reid pointed out, we don't have this information because we
2 were planning on going through the certificate of occupancy
3 process and listening and abiding by what they told us and in
4 the ANC report we stipulated to agree that at no time would we
5 have more people there than determined by fire and safety laws
6 of the District. So until we go through the certificate of
7 occupancy process, we don't know what they're going to approve
8 us for until they see the space, and we haven't had an
9 opportunity to go through this process because we were diverted
10 to request this special exception first.

11 BOARD MEMBER RENSHAW: Are you handicapped
12 accessible?

13 MR. BONNER: No.

14 CHAIRPERSON CROSS REID: Wait a minute. How
15 could you have a home for the disabled and not be handicapped
16 accessible?

17 MR. BONNER: They wasn't physically disabled.

18 CHAIRPERSON CROSS REID: Oh, sorry. That was a
19 wrong assumption on my part.

20 MR. BONNER: They wasn't. It wasn't physically
21 disabled.

22 CHAIRPERSON CROSS REID: I understand.

23 BOARD MEMBER RENSHAW: Okay.

24 CHAIRPERSON CROSS REID: But that would be
25 something that would be required by the city, too.

1 BOARD MEMBER RENSHAW: That would have to be
2 done. I was a little bit confused in reading your materials
3 because you cite not only, of course, the Southwest Church of
4 Christ, as being the holder of the property and then, of
5 course, the Parents Striving for Joy as one lessee of the
6 property and then you have the 13 Irving Development Group and
7 then was mentioned a Family Investment in Youth Development
8 Center. Perhaps that's the name of what you want to become.

9 MR. BONNER: That's the over-arching name.

10 BOARD MEMBER RENSHAW: That's the over-arching
11 name for your --

12 MR. BONNER: We didn't just want to call it the
13 community service center. If we could have gotten a Family
14 Investment in Youth Development Center, we'd use that, too.
15 But the regulation calls for community service center that
16 provides a number of services. What we're really after, trying
17 to take this holistic approach, is the family and the children
18 together. We don't want to deal with one without the other.
19 So that's why we call it the Family Investment and Youth
20 Development Center because the focus is really on the youth.

21 BOARD MEMBER RENSHAW: And where does the 13
22 Irving Development Group fit into all of this?

23 MR. BONNER: That was basically what -- I'm in
24 charge of that also. I'll probably be overseeing the building.
25 That's me really.

1 BOARD MEMBER RENSHAW: That's you.

2 MR. BONNER: Yes. I'll probably be overseeing
3 the building on behalf of the church.

4 BOARD MEMBER RENSHAW: All right. But the two
5 parties in the building will be the Parents Striving for Joy
6 leasing three rooms and then the church controlling the rest of
7 the space.

8 MR. BONNER: The rest of it. We'll control all
9 the space, but they will take the responsibilities for the
10 youth component. There's three components: the family, adults
11 and youth. Parents Striving for Joy already have a program
12 going with the youth. We're just saying that they can use that
13 space to continue their program. They want to expand, and the
14 church will take the responsibility for the family component
15 and the adult component. However, we will coordinate,
16 cooperate across those programs if the needs arise.

17 BOARD MEMBER RENSHAW: All right. Well, that
18 makes more sense. Thanks for clarifying. Do you envision the
19 need for shuttle buses?

20 MR. BONNER: No. I hope that they don't drive
21 from the -- because they're right back of the church. They're
22 right across from the church, so that's our target market. The
23 reason we was excited about working for Parents Striving for
24 Joy was because we had the same problem, concerns about
25 parking. I remember the church had problems with parking also

1 even coming there. So when they told us they were interested,
2 when they asked us to assist them, we thought it was ideal that
3 they could walk from their community right over to this
4 building because it's right across from the church. So there's
5 no need to drive over there. Even some of the staff on Parents
6 Striving for Joy live in the community. So it's just walking
7 to the facility. It's just right up the street. So we don't -
8 - and they even volunteered to let us use -- if there are
9 staffing problems, if there's parking problems for some of the
10 people that may be working there, they could actually use some
11 of the space at the Village.

12 BOARD MEMBER RENSCHAW: But you have agreed to
13 work out a parking program --

14 MR. BONNER: Yes.

15 BOARD MEMBER RENSCHAW: -- with the -- is it the
16 Columbia Heights Village?

17 MR. BONNER: Yes.

18 BOARD MEMBER RENSCHAW: All right. Well, that's
19 all for now but I'll have more later.

20 CHAIRPERSON CROSS REID: Do you have any
21 questions? All right. Thank you very much. We'll now have
22 government reports. Office of Planning. We've already waived
23 their report in.

24 MR. JACKSON: Madam Chair, my name is Arthur
25 Jackson from the Office of Planning. I'll briefly summarize

1 our report. The Southwest Church of Christ is requesting a
2 temporary special exception for a community service center
3 under Section 334.1 of the zoning regulations. The subject
4 property at 1305 through 1307 Irving Street, N.W. is two three
5 story masonry row house buildings. The buildings are connected
6 on one lot and have no on-site parking. Immediately east is a
7 single record lot developed with a three story masonry row
8 house at 1303 Irving Street, N.W. and the Southwest Church of
9 Christ at the corner of Irving Street and 13th Street, N.W.
10 There is no parking on the church site either.

11 Similar row house dwellings are located to the
12 north and south across Irving Street, N.W. West of the subject
13 property is an improved alley 16 feet wide and masonry row
14 houses beyond.

15 1307 Irving Street, N.W. was authorized as a
16 community center use and apartment for nearly nine years from
17 September 29, 1969 through 1978. A certificate of occupancy
18 was issued in 1981 for a community residence facility for 36
19 persons at 1305 and 1307 Irving Street, N.W. The background of
20 this application is as follows.

21 Parents Striving for Joy is an organization
22 created by community residents who live in the Columbia Heights
23 Village Apartments located one half block south of Irving
24 Street, N.W. According to the organization's documentation,
25 their goal is to provide social, education, and recreation

1 services principally for 700 children that live in these
2 apartments. In addition to the services listed in the
3 application, the applicant expressed interest in providing a
4 temporary housing for runaway children.

5 This organization and the 13 Irving Development
6 Group formed by members of the church would establish a
7 proposed temporary community service center use as the next
8 step toward establishing a permanent facility. This location
9 was considered temporary because the church expects to sell the
10 property within the next three years. The subject property is
11 zoned R-4.

12 The proposed special exception is subject to the
13 requirements of Sections 201.1, 334, 2101.1 and 3104.1 of the
14 zoning regulations. The Office of Planning consistency
15 analysis of this application is as follows.

16 With respect to the consistency with Section
17 2334, the special exception must meet the following standards.

18 The community service center shall be located so it is not
19 likely to become objectionable to neighboring properties
20 because of noise or other objectionable conditions. As
21 referenced by the applicant's representatives, the OP staff did
22 not think the proposed use was likely to become objectionable
23 to neighboring properties.

24 334.3, no structural changes will be made except
25 those required under municipal laws or regulation. The

1 applicant indicated that no major interior or exterior changes
2 are planned.

3 Section 334.4, the use shall be reasonably
4 necessary or convenient to the neighborhood in which it is
5 proposed to be located. Staff found the justification of need
6 provided by the applicant to be sufficient.

7 334.5 says that a community service center shall
8 not be organized for profit and no part of its net income
9 enures to the benefit of any private shareholder or individual.

10 In a letter dated December 21, 2000 Larry Bonner indicated
11 that on behalf of the Southwest Church of Christ trustees that
12 a community service center would not be a for profit use.
13 Based on this information, the application meets the standards
14 under Section 334.

15 With respect to compliance with Section 2104.1,
16 the stated purpose of the community organizations associated
17 with this application is to establish a proposed service center
18 support to identify needs of the neighborhood, specifically
19 those of the Columbia Heights Village Apartments. The proposal
20 is similar to uses previously approved for this location over a
21 span of nine years. It also meets the requirements under
22 Section 334 of the zoning regulations.

23 Based on this information, it was determined that
24 the requested special exception would be in harmony with the
25 general purposes and intent of the zoning regulations and

1 zoning maps and would tend not to adversely affect the use of
2 neighboring properties.

3 With respect to compliance with Section 2001.1,
4 this section requires one parking space for every 600 square
5 feet of gross floor area and cellar floor area. Since there is
6 no parking, either on the site or the adjacent church property,
7 no parking is proposed. The applicant may require relief from
8 this requirement. However, since the proposed use is designed
9 to serve very localized needs, the Office of Planning staff
10 feels that such relief could be granted with no detriment to
11 the neighboring property owners.

12 With respect to compliance with Section 201.1,
13 emergency housing for runaway children, up to four persons not
14 including the resident supervisor or staff and their family
15 would be permitted as a matter of right.

16 With respect to Section 201.1, a change in use
17 requires that the site meet the parking requirements. This use
18 is not specifically listed in the zoning regulations.
19 Therefore, the requirement will be one space for every 600
20 square feet of gross floor area and cellar floor area.

21 With respect to community comments, there are
22 letters for and against this application in your folders. The
23 Advisory Neighborhood Commission met in a special hearing to
24 make a recommendation that is also in your folder. Agency
25 comments include responses from the fire and EMS department

1 recommending that the applicant install a sprinkler system,
2 which applicant indicated has been done, and DPW expressed no
3 objection, recommended a time limit of three years, and stated
4 that the proposed use would serve the area residents such that
5 a variance from the parking requirement could be allowed
6 without impact.

7 The Office of Planning shares concerns expressed
8 by the community about the conversion of existing dwellings
9 into institutional uses. However, in this case, this is not
10 the case on this property since it has been a continuous
11 institutional use since being converted from apartments in
12 1969.

13 OP also notes that in light of rapid
14 genderfication of the neighborhood and the entrance of Parents
15 Striving for Joy, Inc., a community organization, the applicant
16 wants to locate and expand an ongoing program targeted at
17 children in the nearby apartment complex. This seems to
18 provide a very important service to residents and the remaining
19 affordable housing in the neighborhood. Therefore, OP
20 continues to recommend approval of this special exception
21 consistent with the original request. This approval should be
22 conditioned for three years, subject to renewal by the BZA.

23 That concludes my report. Do you have any
24 questions?

25 BOARD MEMBER MITTEN: I have a question for Mr.

1 Jackson, Madam Chair. In your report, you outlined the series
2 of approvals that have been granted for this property over the
3 years on page two and then you make reference to a certificate
4 of occupancy that was issued in 1981 which is when the
5 community based residential facility went into the property.
6 But there doesn't seem to be a BZA order that permitted that.
7 Did that cause you any concern in doing your research or was
8 that permitted by right in 1981?

9 MR. JACKSON: I'd have to research that. At the
10 time, I was doing research about what uses had preceded on the
11 property, and I didn't check any further.

12 BOARD MEMBER MITTEN: I guess the reason I ask
13 the question is because -- and particularly your concluding
14 thought about the fact that this property has been in
15 continuous institutional use -- I guess we'd just like to
16 establish that that was valid because if there was no BZA order
17 that granted the permission for the community residence
18 facility, then it would suggest that that was not a valid use.

19 MR. JACKSON: I'll refer to the zoning orders now
20 to see if that was the case.

21 BOARD MEMBER MITTEN: All right.

22 CHAIRPERSON CROSS REID: Your assertion that the
23 approval would be for three years, what was the basis for that?

24 MR. JACKSON: That was consistent with the
25 applicant's request.

1 CHAIRPERSON CROSS REID: Oh, right. Okay.
2 That's because he thought that it couldn't be for more than
3 three years.

4 MR. JACKSON: Yes.

5 CHAIRPERSON CROSS REID: I got you. Thanks. Any
6 other questions of the Office of Planning?

7 BOARD MEMBER RENSHAW: Yes, I do. I'm
8 referencing the December 27th OP report, Mr. Jackson, on page
9 four where you say that based on the information OP staff does
10 not think the proposed use is likely to become objectionable to
11 neighboring properties. Now, we have received a number of
12 complaints from the residents of the area. Do you still hold
13 with that opinion that you do not think the proposed use is
14 likely to become objectionable?

15 MR. JACKSON: Yes, I do.

16 CHAIRPERSON CROSS REID: All right. We had a
17 report from the ANC.

18 MS. SANSONE: Madam Chair, did you wish to allow
19 the applicant the opportunity to cross examine OP or the ANC?

20 CHAIRPERSON CROSS REID: Of course. Would you
21 like to ask any questions of the Office of Planning? Would you
22 like to cross examine the Office of Planning?

23 MS. ALEXANDER: Not cross examine but clarify.

24 CHAIRPERSON CROSS REID: Okay.

25 MS. ALEXANDER: With regard to the community

1 based residence facility, we know that it now is as a matter of
2 right under the regulations that a community based residence
3 facility can operate and also under BZA Exhibit 6 you have
4 before you the certificate of occupancy for the community based
5 residence facility that ran between 1981 up until the past
6 couple of years and in contrast with the certificate of
7 occupancy which is Exhibit 5 for the community service center,
8 we noted that the community service center actually notes that
9 it was approved by the BZA as a special exception and the
10 community based residence facility simply says community
11 residence facility under D.C. law 2-35. It doesn't note that
12 this even had to go before the BZA back at that time but the
13 certificate of occupancy was issued as a matter of course.

14 CHAIRPERSON CROSS REID: That was the question
15 that we didn't know the answer to.

16 BOARD MEMBER MITTEN: Right, and I believe Mr.
17 Jackson was going to research. So we just wanted to clarify
18 that.

19 CHAIRPERSON CROSS REID: What did you clarify?

20 BOARD MEMBER MITTEN: Well, or we just wanted to
21 draw your attention to see if it was any assistance that there
22 are exhibits, BZA Exhibit 5 and 6. I thought the question was
23 whether or not it was a valid use, but it's our understanding
24 that in order for a certificate of occupancy to be issued, that
25 matter already has to be determined. A certificate of

1 occupancy would not have been issued for this property as a
2 community based residence facility.

3 CHAIRPERSON CROSS REID: Well, that's what we
4 don't know. That's the whole mystique that we're dealing with
5 right here. We can't make that assumption.

6 MR. MYERS: I'm not sure. Just by right, under
7 the regulation as written, by right, community residence
8 facilities in R-4 district and R-4 zoning which the building is
9 currently zoned for, a community residence facility is allowed
10 by right.

11 MS. ALEXANDER: I understand you're asking back
12 in 1981 was there a regulation?

13 MR. MYERS: That's correct also under 1981.

14 CHAIRPERSON CROSS REID: No, no. I can not --
15 community based residential facility, by virtue of the nature
16 of the use, require BZA in the first place. This is why we
17 don't understand why there was no BZA order.

18 MR. MYERS: I don't think so, Madam Chairman. In
19 an R-4 district, if you are running a community based residence
20 facility, a CBRF, you would not have to go to the Board of
21 Zoning because you would not need an exception, a special
22 exception.

23 MS. ALEXANDER: It's not a special exception
24 under the regulations.

25 BOARD MEMBER MITTEN: If I could just clarify.

1 Of this size, a CBRF of this size, you would most definitely
2 need a special exception and Mr. Jackson is the one who's in
3 the best position to do the research, so we appreciate you
4 calling out the information on the C of O, and Mr. Jackson is
5 going to check into that for us. Thank you.

6 CHAIRPERSON CROSS REID: Okay. I think we got
7 that straightened out. That's very important, and especially
8 for you to be aware of. I'm sorry. I forgot your name.

9 MR. MYERS: My name is Mr. Myers. Mel Myers.

10 CHAIRPERSON CROSS REID: Mr. Myers. Definitely,
11 that needs to be clarified. That's a very sticky issue here.
12 Okay. Is there an ANC representative here from 1-A? Okay.
13 Prior to your coming up, could we just go through the -- we had
14 a report from DPW and one from the fire marshall and the DPW
15 report basically also recommended a time frame not to exceed
16 three years and that they have no objection to the special
17 exception proposed by the applicant. The fire marshall did
18 require that there be sprinklers and we've already ascertained
19 the fact that sprinklers are there, so that satisfies the fire
20 marshall's concern.

21 If there aren't any other questions regarding
22 these reports, we'll now go to ANC 1-A to come and make the
23 presentation or testify.

24 BOARD MEMBER MITTEN: Madam Chair, just while
25 they're coming up, I would just make a note that in the DPW

1 report they said that the floor area was not indicated in the
2 application, so they were unable to calculate the number of
3 parking spaces specifically. So we still don't know precisely
4 the number of parking spaces that would be required, but they
5 have no objection to -- I believe what they're saying is they
6 have no objection to a variance of the parking.

7 CHAIRPERSON CROSS REID: Predicated upon the --
8 that was the thing we were talking about with Ms. Sansone
9 earlier and we weren't sure that there was a parking
10 requirement, so that was going to be looked into as well. Even
11 though it says that it requires one for every 600 square feet,
12 we weren't sure if in fact 2101 kicked in here, and that was
13 going to be researched by Ms. Sansone.

14 MS. SANSONE: Yes, Madam Chair. We need to
15 ascertain the number of parking spaces that would be required
16 under 2101 and then there would be a question. If the
17 applicant is making arrangements to meet that requirement off
18 site, they would perhaps need a special exception to fulfill
19 the requirement on a different lot or they may need relief from
20 the number of parking spaces which could be either by variance,
21 depending on how many spaces they would need relief for. They
22 can obtain a special exception if it's only a 50 percent
23 reduction. And there's also the issue of possibly some spaces
24 are grandfather'd in. So without more information, it's really
25 difficult to know what we should do about parking at this

1 juncture.

2 CHAIRPERSON CROSS REID: Well, given the
3 situation, Ms. Sansone, let me throw it back over there --

4 MS. SANSONE: Well, we might have to throw it
5 back to the Zoning Administrator to get the calculations.

6 CHAIRPERSON CROSS REID: Would they have to come
7 back to make a case for variance?

8 MS. SANSONE: They may have to.

9 CHAIRPERSON CROSS REID: Is it possible to call
10 them now while the case is still being heard and try to get a
11 read on that, kind of short circuit that whole process, if
12 that's needed?

13 MS. SANSONE: Well, I've just conferred with Mr.
14 Jackson. He doesn't see to think that the Zoning Administrator
15 would be able to address this on a quick basis today. DCRA
16 does have the ability to address it during the building C of O
17 process and to make sure that parking requirements are met
18 then. So that would be another way of dealing with this, sort
19 of deferring it, and that may in fact require the applicant to
20 come back or possibly we could try to pin it down more at this
21 hearing.

22 CHAIRPERSON CROSS REID: I was wondering more
23 what was the rationale of the Zoning Administrator when he sent
24 his letter of denial that did not specify that being the relief
25 as necessary.

1 MR. JACKSON: My impression was the Zoning
2 Administrator answered the question that was before them and
3 did not really address related issues.

4 CHAIRPERSON CROSS REID: No comment. Moving
5 forward, we will have to get a read on that and what do we do
6 then? Notify them, Ms. Sansone, when we hear what in fact the
7 situation is?

8 MS. SANSONE: We could notify them, perhaps even
9 today, that we need them to weigh in on that issue.

10 CHAIRPERSON CROSS REID: No, I mean the
11 applicant.

12 MS. SANSONE: Oh, the applicant. The applicant
13 certainly can weigh in at any time on what they feel the
14 correct number of spaces are and if they're meeting all of that
15 through off site arrangements or if they need a reduction in
16 the number of spaces.

17 CHAIRPERSON CROSS REID: Well, if we know the
18 square footage of the buildings, then we can then determine
19 what the parking requirements would be if in fact there was a
20 variance required and, as such, I'm wondering if it's possible
21 to be able to deal with that today or if it would have to go
22 back. Well, let's do this. Let's get through the case and see
23 what we have to do. All right. I'm sorry. ANC 1-A, please.

24 MS. McINTIRE: Good afternoon.

25 CHAIRPERSON CROSS REID: Good afternoon. Push

1 the button and it turns red.

2 MS. McINTIRE: Madam Chair, the ANC submitted its
3 position in writing. Would you like it to be entered into the
4 record verbally?

5 CHAIRPERSON CROSS REID: Well, you can summarize
6 for us based on we do have it. Just give us the salient
7 points.

8 BOARD MEMBER RENSHAW: Madam Chair, could we have
9 the ANC representative's name, please.

10 MS. McINTIRE: First of all, I'm Elizabeth
11 McIntire. I'm the chair. Commissioner Herd, who is the single
12 member district representative and was initially designated to
13 be here, is not able to be here.

14 CHAIRPERSON CROSS REID: And your address,
15 please.

16 MS. McINTIRE: My home address or the ANC?

17 CHAIRPERSON CROSS REID: No, your address.

18 MS. McINTIRE: 1502 Park Road, N.W.

19 CHAIRPERSON CROSS REID: Okay.

20 MS. McINTIRE: The ANC did receive testimony at
21 two meetings about this issue and addressed the -- voted on it
22 on March 21st. I would say that from the concerns of the
23 community, the recommendations of the ANC for approval of the
24 application with the conditions was our way of responding to
25 the concerns of the community such as the time of operation,

1 off street parking at Columbia Heights Village if possible,
2 that there be full staffing, that there be security liaison
3 with the police, that they meet fire and safety occupancy
4 standards and that in lieu of having a community advisory board
5 which, as I'm chair of the ANC, I think is a good way for
6 community input to be structured. The church declined that but
7 did agree to have the quarterly community meetings.

8 And the ANC voted on March 21st to support the
9 application by six to zero.

10 CHAIRPERSON CROSS REID: Okay. That consisted of
11 a quorum.

12 MS. McINTIRE: A quorum is --

13 CHAIRPERSON CROSS REID: Six.

14 MS. McINTIRE: Six. Yes.

15 CHAIRPERSON CROSS REID: Eight commissioners
16 present.

17 MS. McINTIRE: Yes.

18 CHAIRPERSON CROSS REID: Okay. Questions for the
19 ANC?

20 BOARD MEMBER MITTEN: Ms. McIntire, what exactly
21 had you proposed by way of a community advisory board?

22 MS. McINTIRE: This is the first time that we
23 would have implemented that, so it's not -- it wasn't
24 finalized.

25 BOARD MEMBER MITTEN: But they rejected it, so

1 what was on the table that --

2 MS. McINTIRE: That they would, between the ANC
3 and community individuals, appoint a four or five member board
4 that would meet and be a point of contact for the church and
5 the community.

6 BOARD MEMBER MITTEN: And that would differ from
7 having the quarterly meetings. How did you see that as
8 differing from having quarterly community meetings? What was
9 the difference there that we might be able to appreciate
10 because we ultimately will put the conditions on the special
11 exception?

12 MS. McINTIRE: Okay. Well, if you have an
13 advisory board, it would be people who would be interested and
14 committed to being up to date on the issue and developing lines
15 of communications. If you have a quarterly community meeting,
16 you have more community input, but you also have less, perhaps
17 less structure and dialogue.

18 BOARD MEMBER MITTEN: So it's a question of a
19 more active role for the community, having a community advisory
20 board versus a passive role of just hearing a report on a
21 quarterly basis from the applicant. Is that the distinction?

22 MS. McINTIRE: Yes.

23 BOARD MEMBER MITTEN: Okay. Thank you.

24 MS. McINTIRE: And also as a positive way of
25 perhaps getting positive input into the facility and volunteers

1 and whatever else.

2 BOARD MEMBER MITTEN: All right. Thank you.

3 BOARD MEMBER RENSCHAW: Madam Chair, I would like
4 to ask Ms. McIntire if you discussed having a hotline with the
5 church? In other words, if the community is agreed in some way
6 that they could reach the church officials instantly?

7 MS. MCINTIRE: We did ask for a point of contact
8 at the church.

9 BOARD MEMBER RENSCHAW: And what was the response?

10 MS. MCINTIRE: I think Mr. Bonner had volunteered
11 to be that, but I don't know whether he gave us his home
12 number.

13 BOARD MEMBER RENSCHAW: Ah, now we know. Okay.
14 Thank you.

15 CHAIRPERSON CROSS REID: Okay. Thank you very
16 much. Did you have any questions for the ANC member, counsel,
17 applicant? No. No questions.

18 MS. ALEXANDER: I did just want to make one
19 clarification that Mr. Bonner did offer to give his direct
20 office number where he is every day 9:00 to 5:00 and also that
21 with an on-site caretaker, perhaps that would be the person
22 that would be the immediate contact, rather than Mr. Bonner at
23 his home.

24 CHAIRPERSON CROSS REID: Well, I think that the
25 point being established here is that whosoever it may be, as

1 long as there is in existence that number that will give
2 contact in the event there is any problem that may arise in the
3 interim between the quarterly meetings. I think that's very
4 important.

5 MS. ALEXANDER: Right. So just to clarify, Mr.
6 Bonner will be that person and did volunteer at the ANC meeting
7 to be that person.

8 CHAIRPERSON CROSS REID: Okay. Thank you.

9 MR. JACKSON: Madam Chair.

10 CHAIRPERSON CROSS REID: Yes.

11 MR. JACKSON: We have a partial clarification
12 about the status of the community residence facility CO. The
13 certificate of occupancy is dated February 10, 1981. There's
14 another one that's dated March 26, 1981, and this is for a
15 rooming and boarding house for the purpose of zoning. So it
16 appears that over the course of that month a process ensued
17 where a new CO was issued for use that is permitted by right
18 which is a boarding or rooming house. That's for 1307 Irving
19 Street.

20 I would need to do additional research to go back
21 to see if there are any more recent COs for 1305 Irving Street,
22 but it appears that a more recent CO, at least for 1307,
23 changed it from the community residence facility to rooming and
24 boarding house.

25 CHAIRPERSON CROSS REID: So that's what was left

1 out. I think that's what the counsel for the applicant was
2 saying. I think you got it confused when you were saying
3 matter of right R-4. The rooming house would have been but not
4 CBRF and that's probably where the change came in, that that
5 removed that relief being necessary.

6 Okay. Persons or parties in support of the
7 application. Mr. Bonner, are you trying to say something? If
8 so, you need to come up to the mic.

9 MR. BONNER: Okay. I need to clarify something
10 with the advisory, this issue about advisory board.

11 CHAIRPERSON CROSS REID: Okay, but you will have
12 an opportunity for closing remarks, and then you can address
13 that at that time.

14 MR. BONNER: Thank you.

15 BOARD MEMBER MITTEN: Before we go to the
16 witness, could we just ask Mr. Jackson to submit the copy of
17 the more recent certificate of occupancy for the record.

18 MR. JACKSON: Actually, it's in your packet as
19 Exhibit No. 6.

20 BOARD MEMBER MITTEN: Number six. Okay. Thank
21 you.

22 MS. BAILEY: Sir, were you sworn in?

23 MR. BRILL: Yes, I was.

24 Hi, everyone. Thank you for having me speak,
25 Madam Chair, and members of the Board. My name is John Brill.

1 I'm a member of Parents Striving for Joy, and I'm the social
2 services coordinator at Columbia Heights Village Apartments.
3 In that capacity, I created an organization called Columbia
4 Heights Village Together to provide social services and to
5 raise funds. This is a nonprofit organization to raise funds
6 so we can hire staff and have the resources to run our
7 programs, in addition to resources that we can get through the
8 apartments, Columbia Heights Village Apartments. It's a
9 Section 8 property, HUD Section 8 property, so there's funds
10 available for programs through the property as well.

11 So as I said, I am a member of Parents Striving
12 for Joy. Ms. Swangin, who you just saw walk out, one of the
13 speakers, she had to go pick up her children. She was going to
14 speak in support, too. I know she has to do that on her own,
15 but I just wanted to mention that for the record.

16 I've been the social services coordinator for
17 almost three years now. It'll be three years in August of this
18 year. And I have worked in the neighborhood since 1994 in the
19 social services field. I was a resident of Columbia Heights
20 neighborhood on Ferment Street, about two blocks away, 13th and
21 Ferment, from 1995 to 1998 and I'm now a resident of Mount
22 Pleasant across 16th Street about three quarters of a mile or a
23 mile away from Columbia Heights Village Apartments.

24 I've met with the church on several occasions,
25 and we've had at these meetings with Parents Striving for Joy

1 and the church, there have been several church members, up to
2 15 to 20 church members, at these meetings who have offered
3 their volunteer service for these programs. We have a staff of
4 three full-time people including myself plus three part-time
5 people at Columbia Heights Village Apartments, and we run an
6 after school youth program for the six to 12 year olds at
7 Columbia Heights Village. That's up to 40 children. Right now
8 we have about 30 children in the program and about 25 attending
9 daily. And we also run a youth program for 13 to 23 year olds
10 of the property as well. But we have a very limited space to
11 operate those programs, a community room which is about 60 feet
12 X 25 feet. So we operate our children's program there. Our
13 tutors meet with the children every day after school in the
14 summer.

15 Our youth program right now is currently
16 operating out of another club called the Columbia Heights Youth
17 Club which is down the street, and we saw this as an
18 opportunity partner with the church. There's space there that
19 we can use for special activities for both programs but
20 especially for our youth program. It would be nice to have
21 private rooms when we have counseling sessions with our staff
22 and also to have group activities there, and some special
23 activities for our children's program as well because the
24 community room that we operate our children's program out of is
25 also used by residents for other activities, and there's 835

1 residents on the property.

2 So we have a full-time children's program
3 director on staff and a full-time youth program director, and
4 those people will be helping to staff those activities that Mr.
5 Bonner was mentioning at the church. For me, it's very
6 important that we work directly with the church and all the
7 issues that have been raised by the community in addition to
8 other issues all be clarified and taken care of very clearly to
9 make this happen. If we don't do that, we're not doing our
10 job.

11 We have three part-time people. Each of our
12 programs has a part-time person working under that director of
13 the children and youth programs who will also be staffing those
14 activities, in addition to at our site. Parents Striving for
15 Joy has 10 members now. All the members of Parents Striving
16 for Joy, including myself, have offered to volunteer to help to
17 run these activities. When you asked about staffing, to
18 voluntarily lead these activities and eventually we would like
19 to raise funds so folks can be paid and we would increase the
20 staff to a higher ratio staff to children.

21 So I'm in full support of the application, and I
22 think that if we resolve these issues that have been brought up
23 with the community, I believe that the need is there certainly.

24 We have over 400 children living in Columbia Heights. The
25 number 700 has come out. I know that there's at least 400

1 children and youth under 25 that I know of on the property.
2 More even in the surrounding area. And the services that are
3 in the neighborhood are not enough to meet the needs of those
4 children. When we started our after school program, we
5 instantly had 30 kids sign up, even though there are existing
6 programs in the neighborhood. This was back in 1999. So it's
7 clear to me that there's a need with these programs that the
8 church houses. Thank you.

9 CHAIRPERSON CROSS REID: Thank you. Questions,
10 Board Members? You all have any questions? Okay. Thank you
11 very much.

12 All right. Persons or parties in opposition,
13 please come forward. Okay. Is this the only person testifying
14 today in opposition? Anyone in opposition, please come up at
15 this time. Are there four people? Okay. Five. Okay. Now,
16 let me give some clarification. I think that from what I've
17 been able to determine, there has been some confusion as to the
18 use of this property, and we tried to clarify as to whether or
19 not it was going to be a community based residential facility,
20 and we've gotten a lot of letters in that regard, and we have
21 established that it is not a community based residential
22 facility, so please, whatever testimony you're going to give
23 today, let it not be germane to that particular use. Only the
24 use that the application that has been here today before us and
25 that is in regard to the community service center. Thank you.

1 And your comments should be no more than -- is it three
2 minutes, Mr. Hart?

3 MR. HART: Three minutes.

4 CHAIRPERSON CROSS REID: Three minutes each and
5 please don't be redundant. If someone else has already voiced
6 what your position is, don't say that. Try to think of
7 something else that you can give us to help us to understand
8 what your position is. Thank you. Okay. #1.

9 MS. SHAYNA VEAZIE: Hello, Madam Chair and
10 members of the Board. My name is Shayna Veazie and I'm a
11 resident of Columbia Heights. I live at 1330 Irving Street,
12 N.W., and I'm currently a senior at Woodrow Wilson Senior High
13 School.

14 What I'd like to say in general is that I've
15 lived in the same home for 18 years and not once has anyone at
16 the church ever approached me about attending church services,
17 ever approached me about helping me with anything or helped
18 with any problems that are going on in the community. I
19 remember as a little girl looking outside the window and seeing
20 someone shot in the playground behind my house. Nothing was
21 done about that. Two summers ago, someone was shot on Columbia
22 Road right between my house and the Columbia Heights Village.
23 Nothing was done about that.

24 So my main issue with this is I don't see what
25 they could do, what they could give to the community. They

1 haven't done anything now. I have a nine year old brother.
2 They haven't done anything with him. So that's where I stand.
3 Thank you.

4 MS. MINA VEAZIE: I'm Mina Veazie. I also live
5 at 1330 Irving Street, and I'm pleased that my daughter is here
6 today growing and having reached her 18th birthday, is finally
7 able to vote in the District of Columbia and is learning to be
8 a responsible citizen. I am sad to say that the church that is
9 before you requesting this zoning variance has not contributed
10 at all to her development nor have I observed them contribute
11 to the development and safety of the seniors on our block.

12 The church, with regard to the question of
13 advisory boards and so forth. What really occurred was that
14 the community asked as a final request of the ANC that we be
15 able to provide an advisory board or a committee to the church
16 about the use of this property, to which they said no. They
17 didn't want to be accountable, more accountaBle to us. So as
18 it stands, to hold quarterly meetings in which people come in
19 and express their opinions, as we have already, about what they
20 plan to do, that is not intended to assist anyone that is in
21 the immediate vicinity of that church. Nobody who lives on
22 Irving Street or directly adjacent to that property, contrary
23 to the report from planning, is intended to directly benefit.

24 It will adversely affect us in terms of traffic,
25 parking, noise and activity. There is a school directly across

1 from the church, and it is very busy there in the mornings and
2 in the afternoon and is a very dangerous area. However, at the
3 time the children are usually going back and forth, there is a
4 guard who assists with that. Parking now is doubled on both
5 sides of the street directly because of construction, Metro,
6 and heavy use of the area. We are not complaining necessarily
7 about that, but we're saying that there already is not enough
8 parking for people who live there. In fact, there are people
9 who live as far as a block or more away who park that distance
10 in order to get to their homes on Irving and on Kenyon Street.

11 It is already crowded and, contrary to what may
12 be the perception of some here, Columbia Heights Village has
13 more open space in the immediate vicinity than any other area
14 in which people reside. They have space that's open enough for
15 them to add their own facility. They have open space for
16 children to play. We don't have that, and the facility that
17 you would be considered for variance does not offer any of
18 that. The alley way in which children would have to cross is a
19 blind alley, so now those of us who use that, come around that
20 curve, often have to come to a complete stop before we make
21 that right turn so that we do not hit other people's children.

22 I can not tell you the numbers of times that I've shoo'd
23 children out of that alley that is just an alley away. It is
24 not directly across from the church, as you were led to
25 believe. It is a walk through an alley that is blind, that

1 cars drive through, they speed through if they're blocked on
2 Irving or Columbia Road, and we see children duck and dodge
3 those vehicles all the time. I can not tell you how many times
4 I have shoo'd children out of the yards of vacant buildings,
5 some of which are now controlled by the church. They've not
6 spoken to how they've not developed those so that they were
7 safe. And I will end there.

8 CHAIRPERSON CROSS REID: Okay. Thank you very
9 much.

10 MR. KLINE: I'm Stephen Kline. I live at 1309
11 Kenyon Street. Madam Chairman, I have prepared testimony that
12 I'd like to read from. If it exceeds the time limit, I'd like
13 to submit that as part of my written testimony.

14 CHAIRPERSON CROSS REID: If you think that it may
15 exceed the time, then perhaps you may just basically summarize
16 because I think we do have at least one letter from you.

17 MR. KLINE: You do. Yes.

18 CHAIRPERSON CROSS REID: So you can basically
19 give us the highlights or summarize it so that you can be able
20 to get everything that you want on the record.

21 MR. KLINE: Thank you. My testimony would run to
22 five minutes. I've already identified two paragraphs that I
23 can redact.

24 CHAIRPERSON CROSS REID: You have three.

25 MR. KLINE: Well, I can redact those two

1 paragraphs, and I think that'll get me down fairly close.

2 CHAIRPERSON CROSS REID: All right.

3 MR. KLINE: But if it runs over, I'll be glad to
4 yield. The application by the church was made last summer.
5 The BZA subsequently notified ANC 1-A that it had received the
6 application and that a hearing would be scheduled. Despite
7 having received this notice, the ANC took no steps to solicit
8 community input on the proposed community center. It was not
9 until after citizens appeared at the first scheduled hearing to
10 protest that the hearing was rescheduled. ANC Commissioner
11 Eric Heard subsequently asked for additional time for the ANC
12 to consider the matter so that it could provide its
13 recommendation.

14 On March 14th the ANC scheduled a public meeting
15 at Tubman Elementary. With two exceptions, the public spoke
16 unanimously against this project. People spoke clearly and
17 left little doubt about their feelings in opposition to it.
18 Yet, the ANC voted, against public sentiment, to approve the
19 project. The approval was granted without hearing any input
20 from the more than 30 organizations within the community that
21 provide similar services.

22 Despite having little or no community input
23 during the time from September to January, various city
24 agencies, including the Offices of Planning, DPW, the fire
25 department, and the Office of Traffic and others, submitted

1 their recommendations that the center be allowed to proceed.
2 To my knowledge, the church did not even perform a rudimentary
3 needs analysis to determine what services are needed in the
4 neighborhood. The church formulated the solution, then went
5 searching for a problem to apply it to. The methodology was
6 flawed.

7 The great problem with the community service
8 center is its imposition in the midst of a community that has a
9 greater number of such facilities than any other neighborhood
10 in the city. Within Ward One there's a very large number of
11 community service facilities with many duplicating services
12 this project proposes to provide. Within the immediate area,
13 there are several facilities of various kinds. Within 200
14 feet, there is at 1300 Kenyon a halfway house for women, at
15 1308 Kenyon a facility for substance abusers. In the 1300
16 block of Irving, a Girls' Club home. Within 500 feet at 3211
17 and 3218 13th Street, there are two For the Love of Children
18 Homes. This is a partial list, yet across from Columbia
19 Heights Village is the Latin American Youth Center, a new,
20 fully equipped and fully staffed services center for youth that
21 provides all of the services proposed by this project.

22 Another major problem with the facility is that
23 it is located on a busy street. The two townhouses in question
24 do not have parking facilities. This is an area that I'll
25 redact, but I'll say this. I spoke to Ken Laden at DPW

1 yesterday. He advised me that were the parking requirements to
2 be enforced, this church would need 14 parking spaces.

3 Many children live in Columbia Heights Village in
4 the surrounding area. The alley that exists on Irving Street
5 is a dangerous one. Children will have to cross a busy street
6 to reach the facility. What kind of escort service will be on
7 duty? Will it be continuous during the day so that children
8 will be safe? There are too many questions about this plan
9 that have not been answered. In fact, the plan gets modified,
10 even as we talk. More questions are being asked than answered.

11 I hope the BZA will listen more closely than the ANC did to
12 the voices of the neighborhood. I hope the BZA will weigh the
13 information more carefully than the ANC did. I urge you to
14 vote against this application. Thank you.

15 CHAIRPERSON CROSS REID: Very good. All right.
16 Thank you for your testimony. Next witness, please.

17 MR. KRIEGER: Good afternoon, members of the
18 Board. My name is Andrew Krieger. I live at 1309 Irving
19 Street, N.W., and I've been a resident of Columbia Heights for
20 13 years. I've submitted to the Board and for the public
21 record a petition signed by neighborhood residents against
22 proposition 16550, the proposal by the Southwest Church of
23 Christ. This petition is not signed by area residents. It's
24 signed by Columbia Heights residents, citizens of Washington,
25 D.C. from Columbia Heights. There are 76 names on this

1 petition.

2 Some of the concerns of the residents of the
3 neighborhood echo the concerns that have already been raised by
4 the Board here. We feel that the program proposed by the
5 church is changing and evolving all the time. At the meetings
6 that most of us have been to, we've heard a different rendition
7 of the program each time.

8 The parking problem and the traffic problem on
9 Irving Street and 13th Street is a problem of congestion at
10 this point. It's a tremendously busy intersection. Irving
11 Street is a main eastbound thoroughfare. 13th Street is a main
12 north/south thoroughfare. This is a tremendously busy
13 intersection. The parking problem has already been addressed
14 several times. Just to touch on it again. Thirteen parking
15 spaces is half of the legal parking spaces on Irving Street at
16 present time.

17 Many of the residents that signed this petition
18 feel like they've never been adequately informed about the
19 program that's been put forth by the church. I believe it's
20 been indicated inadequately that the community was canvased,
21 but most residents have never had any notification about the
22 proposed community service center facility at 1305-1307 Irving
23 Street, N.W. and that is why most of the residents have signed
24 this petition.

25 The impact on the community here is going to be

1 great. We feel there has been a lack of planning in a
2 community that desperately needs planning. This should not
3 become a neighborhood of institutions and institutional homes.
4 We're trying to form a neighborhood of families, and it's
5 very, very important that we -- well, we're all opposed to this
6 community service center because we want it to become a
7 neighborhood of families.

8 Residents want planning. Residents want logical
9 development to benefit the community. They want a neighborhood
10 with a neighborhood vision for Columbia Heights and for the
11 future for all its peoples.

12 CHAIRPERSON CROSS REID: Thank you.

13 Board Members, questions?

14 MS. HINTON: I just have one question. You spoke
15 about your preferred --

16 MR. JACKSON: Excuse me, Madam Chair. I just
17 wanted to verify. Another lady moved up front to speak. I'm
18 sorry.

19 MS. MINA VEAZIE: She doesn't need to make a
20 comment.

21 MR. JACKSON: To speak to the chair.

22 MS. MINA VEAZIE: Madam Chair, Ms. Brown is
23 uncomfortable speaking in public and she can ask herself, but
24 she's asked that I read her comments for the record.

25 CHAIRPERSON CROSS REID: Okay.

1 MS. MINA VEAZIE: I write this letter to you in
2 complete opposition to the request for zoning variance at 1305-
3 1307 Irving Street by the Southwest Church of Christ. Over 40
4 years ago, my single mother bought this house in a community
5 full of families bordered by a vibrant commercial corridor.
6 After the riots, most of those families and businesses were
7 forced to move, and we became the victims of abandonment, drug
8 sales, prostitution, and overwhelming violence.

9 I have many neighbors who work with me to make
10 this a safe block, but never was one of those helpers the
11 Southwest Church of Christ or any of its members. Since 1987,
12 we have lived next door to a group residential home for girls.

13 We already endure sleepless nights while they argue, the
14 police come and go because of their various incidents, trash is
15 thrown into our yard, girls climb out of the windows to meet
16 other strangers in the alleys, and frequently they run away.
17 The church does not do anything to help us manage 15 girls.
18 How can they help us take on another 700?

19 With the addition of another community service
20 center one house away, I will be completely unable to enjoy any
21 peace and quiet in my own home. I am now a senior citizen, and
22 I am unable to have a good night's rest. After 30 years of
23 working to teach and care for children, I still volunteer as an
24 educator. I need the sanctity of the home my mother and I
25 worked so hard to get and maintain. We need the vacant houses

1 occupied by people who will restore the property for families
2 and who will help pay the taxes and help take care of it.
3 Please do not allow this variance to go forward. Sincerely
4 yours, Greta P. Brown.

5 I'd like to also add that one of the things that
6 is of concern to Ms. Brown is, of course, services to senior
7 citizens and people with disabilities. This body mentioned
8 only very briefly some concern about ADA requirements and then
9 kind of moved on to everything else, and we'd like to urge that
10 you not make that a small matter. That is a substantial matter
11 to people who live in the community and to those of us who have
12 committed to equal access and equal rights in the District of
13 Columbia, and it's clearly a human rights and a zoning issue.

14 So in looking at whatever it is that they
15 propose, we've all kind of jumped over that. There were people
16 who lived in the building before as senior citizens who had
17 evident physical disabilities and difficulties negotiating that
18 building. So we would expect that, if there's no change,
19 substantial change, in how the building is constructed or
20 modified, that that still would be a barrier to citizens.

21 CHAIRPERSON CROSS REID: Thank you.

22 Now, Mr. Kline -- oh, before that, are there any
23 cross examination questions by the applicant counsel?

24 MS. ALEXANDER: We don't have cross examination.

25 CHAIRPERSON CROSS REID: Speak into the mic,

1 please.

2 MS. ALEXANDER: We don't have any cross
3 examination questions for the witnesses, but we do have points
4 of clarification. We'd be happy to make those now or in our
5 closing argument.

6 CHAIRPERSON CROSS REID: In your closing remarks.

7 In some of the petitions that I've seen, let me
8 get a clarification. Your opposition is because of a community
9 services center or regarding the CBRF?

10 MR. KLINE: Not necessarily because of the CBRF.

11 That was the initial language on the application. I
12 understand that that's no longer the issue. The issue for me
13 is the larger one of density. Columbia Heights, you know,
14 we've got one of these on every block and counting, and it just
15 seems to me that at some point we're going to become
16 Institutional Heights rather than Columbia Heights. It's a
17 family neighborhood. It's a residential neighborhood, and
18 that's a character that I think has to be very carefully
19 maintained.

20 CHAIRPERSON CROSS REID: Okay. When you say
21 family, describe to me what you mean by family.

22 MR. KLINE: Family is people who live in a home,
23 people who live in a home, take care of each other and who take
24 care of their property, who become part of the neighborhood.

25 CHAIRPERSON CROSS REID: The reason why I ask is

1 because in the Office of Planning report it is specified that
2 they're very much in favor of this kind of facility because it
3 provided needs for those remaining persons who lived in
4 affordable housing in Columbia Heights. Now, we all know that
5 Columbia Heights is going through a transition, and I need to
6 understand what you mean when you say that it's for families
7 but at the same time, if this is a service for the families
8 that are there, the children, what is the opposition?

9 MR. KLINE: Well, just that we have so many
10 service facilities in the neighborhood already, and I don't
11 believe that the church has done an adequate job of looking at
12 whether this service facility is required or not.

13 CHAIRPERSON CROSS REID: Well, Columbia Heights
14 has history and part of their history is the devastation of the
15 riots. In the previous years, I'm very much aware of the fact
16 that there has been a lot of problems, as has been testified
17 here today, regarding prostitution, drugs, drive by shootings
18 and the like and, as such, I'm trying to understand if, in
19 fact, the church has not been involved before, if they're
20 trying to do it now. If they're trying to put into place some
21 of the services that would benefit, perhaps not -- all the
22 families may not need it because they don't have a need for it
23 but if it's for those who may -- some of the children that came
24 out in the testimony of the applicant where there was a -- and
25 also based on the urban report -- I forget the name of it --

1 that specified that there was a need for these services for
2 some of the children in that community. I just don't
3 understand when you say families, what are you saying? That
4 the families don't need it or that the families do need it.
5 Help me understand.

6 MR. KRIEGER: Perhaps Ms. Veazie could give you a
7 little better answer than I can. How about that?

8 CHAIRPERSON CROSS REID: No, I didn't ask her. I
9 asked you specifically to explain to me what you meant.

10 BOARD MEMBER RENSHAW: May I just interject here.

11 Mr. Kline spoke about and perhaps would want to comment
12 further on the fact that the church had not done a needs
13 analysis of the community. In other words, you and the members
14 of your block and perhaps the ANC have not seen any document
15 from the church stating that they had done some kind of an
16 outreach to the community and ascertained that these are the
17 programs. Is that what has not happened?

18 CHAIRPERSON CROSS REID: I spoke specifically to
19 the report by the Urban Institute--

20 BOARD MEMBER RENSHAW: I know.

21 CHAIRPERSON CROSS REID: -- where there was a
22 needs assessment, but you don't have to be a rocket scientist
23 to understand that in that particular community particularly
24 there are a lot of problems.

25 MR. KLINE: Madam Chairman, the church doesn't

1 have any history of being able to address these kinds of
2 problems. They don't have a track record in this.

3 CHAIRPERSON CROSS REID: Well, my understanding
4 is this is the application by which they are embarking upon
5 that type of endeavor to try to address those issues.

6 MR. KLINE: But if that were the case, why didn't
7 they get together with, as I said, any one of these other 30
8 organizations in the community and see how it's done. How can
9 we partner with this organization? How can we partner with
10 that organization? The church doesn't have a record on which
11 to base this sort of program. We don't necessarily think
12 they're going to be successful with it.

13 CHAIRPERSON CROSS REID: Okay. Thank you, Mr.
14 Kline.

15 Mr. Krieger, can you speak to that?

16 MR. KRIEGER: Well, maybe I can speak to a little
17 bit of it. I made a brief map that I think was passed out to
18 the Board, if I'm not mistaken, density of social service
19 properties that are on our block. I think that was passed to
20 the Board on 3-21, if I'm not mistaken. It should have been.

21 CHAIRPERSON CROSS REID: It may have been, but
22 could you just indulge us and let us take a look at that one
23 that you have? Okay. What's the legend here? I see the
24 church, I see the two properties. Oh, I see the green -- I'm
25 sorry. Can you explain to me what this green, the shading of

1 the green specifies?

2 MR. KRIEGER: I sure can. This map shows the
3 area of 13th Street with Irving Street bordering on the south
4 and Kenyon Street bordering on the north. The green
5 properties, as indicated with the color and with their street
6 addresses, are the properties on this block that are serving
7 social services and social service organizations at this time.

8 The church on the corner of 13th and Irving Street is colored
9 in purple. The proposed sites of the community service center
10 are colored in orange, 1305 and 1307. I handed this map into
11 the Board to indicate the density of these properties that are
12 already on our specific block.

13 CHAIRPERSON CROSS REID: What's 3112?

14 MR. KRIEGER: 3112 is a home for wards of the
15 state and indigent children two doors away from the church.
16 1300 Kenyon --

17 CHAIRPERSON CROSS REID: Wait. Let me understand
18 this. 3112, that's 13th Street.

19 MR. KRIEGER: Correct.

20 CHAIRPERSON CROSS REID: Okay. It goes all the
21 way back to the alley. Oh, I see. That's a CBRF?

22 MR. KRIEGER: Yes, a CBRF.

23 CHAIRPERSON CROSS REID: Okay. And then 1315 is
24 what?

25 MR. KRIEGER: 1315 is a home for girls on 1315

1 Irving Street.

2 CHAIRPERSON CROSS REID: Okay, but are we
3 comparing apples to apples here?

4 MR. KRIEGER: I'm sorry?

5 CHAIRPERSON CROSS REID: Are we comparing apples
6 to apples here? You can't hear me or you don't understand me?

7 MR. KRIEGER: No, I don't think I understand your
8 question.

9 CHAIRPERSON CROSS REID: Okay. My question. If
10 this is the social services facilities at 1305 and 1307 and
11 then you indicate that 1300 and 1308 also are, okay, but then
12 you're saying that 1312 and 1315 are community based
13 residential facilities.

14 MR. KRIEGER: Correct.

15 CHAIRPERSON CROSS REID: Then I'm saying to you,
16 I'm asking you, is this apples to apples? Are you putting them
17 all in the same category or are you distinguishing specifically
18 the ones that are community based residential facilities vis a
19 vis the ones that are community service centers?

20 MR. KRIEGER: The community service center, the
21 proposed community service center is proposed at 1305 and 1307.

22 You're correct. And the existing CBRF properties or
23 properties that are serving other social purposes are colored
24 in green.

25 CHAIRPERSON CROSS REID: Okay. But that's a

1 little misleading. That's not exactly what we're dealing with
2 here today.

3 MR. KRIEGER: Well, I've done this map to
4 indicate the density of social programs that are already in
5 existence on the block.

6 CHAIRPERSON CROSS REID: Okay. Thank you.

7 MR. KRIEGER: You're welcome.

8 CHAIRPERSON CROSS REID: Are there any other
9 questions, Board Members?

10 MS. HINTON: Would you please explain what's at
11 1300 and 1308?

12 MR. KRIEGER: Sure. 1300 Kenyon Street is a home
13 for girls and 1308 Kenyon Street is a halfway house and home
14 for substance abusers.

15 CHAIRPERSON CROSS REID: I thought that he said
16 those were -- I'm glad you raised that question, Ms. Hinton,
17 because I thought I understood him to say that those were
18 community service centers at those two sites. All these sites
19 in green are community based residential facilities?

20 MR. KRIEGER: Yes. I thought I corrected that.

21 CHAIRPERSON CROSS REID: Okay. Thank you.

22 BOARD MEMBER RENSHAW: And, Mr. Krieger, to your
23 knowledge, has the church interacted with 3112 13th Street, the
24 1300 and 1308 Kenyon and the 1315 Irving Street?

25 MR. KRIEGER: To my knowledge, and likewise with

1 the school, the church has only interacted, to my knowledge,
2 with one of those centers, one of those CBRF properties, and
3 that is 3112 13th Street.

4 CHAIRPERSON CROSS REID: Okay. One other question
5 I had was this is to Ms. Veazie. You said in your testimony
6 that there -- someone said -- I'm not really sure -- that you
7 were not aware, that was not communication as to what in fact
8 was happening at these two properties but my question is did
9 you not receive a notice, being a resident within 200 feet of
10 the property, from the applicant?

11 MS. MINA VEAZIE: Okay. I didn't speak to that,
12 so I'm --

13 CHAIRPERSON CROSS REID: Who said that? I'm
14 sorry. Someone said they were not aware of what was happening,
15 that they didn't get notice. Was that you? I'm sorry, Mr.
16 Krieger. Will you please respond.

17 MR. KRIEGER: That's all right. I think I
18 brought up the point that I do live within 200 feet of the
19 church and I did get notice, but many community residents were
20 not notified of the proposed community center in any way, shape
21 or form.

22 CHAIRPERSON CROSS REID: There are four -- well,
23 three major ways that we notify the community.

24 MR. KRIEGER: Right.

25 CHAIRPERSON CROSS REID: In addition to notifying

1 the ANC in which the property is located. Everyone who lives
2 within 200 feet, every homeowner within 200 feet, receives
3 notice, one. Two, it's advertised in *The D.C. Register* and,
4 three, wasn't the property posted? Our records do indicate
5 that the property was posted. Those big orange signs on the
6 property.

7 MR. KRIEGER: Can I speak to that point?

8 CHAIRPERSON CROSS REID: Yes.

9 MR. KRIEGER: The only indication to the
10 community at the inception and before the first hearing was the
11 posting that was in front of the properties.

12 CHAIRPERSON CROSS REID: Did that not notify the
13 community that there was going to be a hearing in regard to
14 this matter?

15 MR. KRIEGER: Probably for community members that
16 regularly use that street and use that thoroughfare, yes. For
17 people around the block or for people on the other side
18 streets, unless they were coming that way, they were not
19 notified.

20 CHAIRPERSON CROSS REID: In addition to the
21 homeowners who lived within 200 feet would have got
22 notification, according to our records. They were sent out to
23 them. And the ANC was noticed.

24 MR. KRIEGER: The ANC was notified and in your
25 record, I believe, from Andrew Altman and from the Planning

1 Commission, I believe it says that the ANC was notified and no
2 response came back from the ANC. The community never heard a
3 thing from the ANC when this proposal first was put before
4 them.

5 CHAIRPERSON CROSS REID: But then, according to
6 our records here --

7 MR. KRIEGER: I think that was in January or
8 December, if I'm not mistaken.

9 CHAIRPERSON CROSS REID: Right. That was one of
10 the main reasons why we continued at this pace so that the ANC
11 could be properly noticed and they could weigh in, and they
12 have done that, and they held their meeting, and I guess they
13 notified the public that they were going to have the meeting to
14 address the issue.

15 MR. KRIEGER: There was a meeting at Tubman
16 School at which the community did come out in very, very good
17 numbers and voiced very, very strong opposition to this
18 proposal put forth by the church.

19 CHAIRPERSON CROSS REID: The entire community did
20 because that's not what the ANC said.

21 BOARD MEMBER RENSHAW: It stated 200 residents on
22 March 14 at the Tubman School. The applicant made a
23 presentation to the ANC and the community at which nine of 10
24 commissioners were present and over 200 residents.

25 MS. MINA VEAZIE: It's a substantial number of

1 people.

2 CHAIRPERSON CROSS REID: Well, we don't know. I
3 mean basically we take the position of the ANC because we know
4 that often there are people who come in opposition and people
5 who are in support, and they kind of go into discussions or
6 dialogue about a proposed hearing. That appears to me to be
7 what happened. Nonetheless, what we give great weight to is
8 the position of the full ANC representing the community and
9 look to see if there was a vote taken, if there was a quorum
10 present. And the ANC as a body has recommended approval with
11 conditions of this particular application.

12 Any other questions?

13 MR. KRIEGER: Did you want me to respond to that
14 or no?

15 CHAIRPERSON CROSS REID: Well, I think that we
16 came to some closure. I was trying to ascertain, when you said
17 that you didn't get the -- you were not notified, the community
18 was not notified, I then basically just enumerated the various
19 ways that the community is generally notified and I just wanted
20 to ascertain that that had been done in this particular regard.

21 MR. KRIEGER: Well, I'm an individual. I'm not
22 the community, and the community at the meeting at Tubman
23 School was voicing the opinion and their concerns because many
24 in the community had not been adequately notified.

25 CHAIRPERSON CROSS REID: All right. Thank you.

1 MR. KRIEGER: You're welcome.

2 MS. HINTON: I had a question for Mr. Krieger.
3 You talked about uses of this property, and I believe you
4 suggested that your preferred use would be as a family
5 residence rather than a community service center or a community
6 based residential facility.

7 MR. KRIEGER: I think many in the neighborhood
8 would like to see more families move into our neighborhood, and
9 we would love to have families and members of the church move
10 into these properties and actually have a place in the
11 community and actually be in the community and not be coming
12 from Virginia or Maryland or all the people that have moved
13 away from this area. Many people want the church to play a
14 role in this area if the church is going to stay in Columbia
15 Heights and on Irving Street, but please, also be in the
16 neighborhood where the residents are. Know the feelings of
17 residents. Know the concerns of residents.

18 MS. HINTON: And it's also your belief that the
19 services that are planned and the programs that are planned
20 here are not needed by the community or by the residents of the
21 area.

22 MR. KRIEGER: The programs that have been put
23 forth at this time, I believe are just addressing the
24 constituents of Columbia Village, and this is something that
25 has not been made clear. They are not open to the residents of

1 the Irving Street block. They are not open to the rest of the
2 residents of Columbia Heights and, if they are, I think we have
3 some other capacity problems. We're talking about children and
4 we're talking about the future. Anybody who wants a facility
5 for children should want a quality facility that is going to
6 have a definite program, that is going to have definite goals
7 and agenda, be staffed and be safe. These are issues that need
8 to be looked at and need to be looked at seriously because
9 everyone in Columbia Heights wants planning and they want
10 adequate planning and we feel that we've had inadequate
11 planning in this area for far too long. Children are the
12 future. They have to be taken care of in every way, shape, or
13 form. We want a quality facility, as anybody else wants a
14 quality facility.

15 A great boost to this area would be a library, a
16 knowledge center. That could actually be dove-tailed into the
17 development that's going up on 14th Street. That's going to be
18 accessible to the entire community, and I'm talking about with
19 vast resources.

20 MS. HINTON: So it's your understanding that this
21 facility will only available to residents of Columbia Village.

22 MR. KRIEGER: If I can expand on that a bit more
23 because each time this program has been described by the church
24 and by the people who are so eloquently representing the
25 church, it has evolved and de-evolved into several different

1 permutations. The community is asking some of the same
2 questions that you have been asking this afternoon about the
3 program. It has constantly been vague. We've had questions
4 about its staffing. We've had questions about the number of
5 children, accessibility, the operation hours. Sometimes the
6 answers are specific, sometimes they've waived back and
7 forth. We don't feel like the program has been well-defined,
8 is definite, has been well-planned.

9 The principal that's right next door at Tubman
10 School was uninformed about this program that I know is going
11 to be serving some of the children that are attending her
12 educational institution.

13 MS. HINTON: Okay.

14 MR. KLINE: Have I answered your question?

15 MS. HINTON: You have, and it helps quite a bit.

16 Usually when this Board looks at a facility such as this, we
17 do have a very definite program that's identified as far as the
18 number of students, the number of adults, the number of staff,
19 the hours of operation, the programs that would be in place.
20 And so I think that that's something that the Board needs to
21 keep in mind when we take an action on this, that we need to be
22 clear about what is being proposed and what we're taking an
23 action on.

24 One of the things that the Board needs to do,
25 according to the regulations, is determine whether the proposal

1 would have any adverse impacts on the surrounding properties,
2 and that's very difficult for the Board to do and very
3 difficult for the neighborhood to speak to when the program
4 isn't clearly defined because you can't define an impact unless
5 you know what the proposal is. So I understand what you're
6 saying and the frustration that I hear. It's hard to respond
7 appropriately when there's a moving target. So we will be very
8 careful to look into that and make sure that the proposal is
9 clear to us.

10 MR. KRIEGER: Thank you.

11 CHAIRPERSON CROSS REID: One other point I need
12 to get clarified now. My understanding from the testimony here
13 today and from the ANC and from the Office of Planning report
14 is that, again, the applicant, in my opinion, is putting to us
15 a proposal for a program, an application for approval of a
16 program, that is to serve the community, particularly the
17 children in the community, and the Office of Planning again
18 referred to the remaining affordable housing that was still in
19 Columbia Heights. You were mentioning what you'd like to see
20 for programs for the future children, and I'd like to know
21 what's the difference?

22 MR. KRIEGER: I'm sorry.

23 CHAIRPERSON CROSS REID: Okay. The applicant
24 proposal is for the programs that they'd like to see in their
25 facility for, and I said that the Office of Planning referred

1 to particularly servicing the needs of people who still
2 remained in affordable housing in Columbia Heights existing,
3 and that's what the application is for, I think. But you
4 mentioned two or three times, you made reference to what you'd
5 like to see for the future children, and I'm asking you what is
6 the difference of the children who are existing there now and
7 what you referred to as the future children coming into
8 Columbia Heights.

9 MR. KRIEGER: Maybe I was mixing up the terms
10 there. I don't think I see any difference.

11 CHAIRPERSON CROSS REID: Well, that's what you
12 said.

13 MR. KRIEGER: Well, as I said, I may have been
14 mixing up the terms. I don't remember saying that. I thought
15 I was trying to address that anyone in this neighborhood wants
16 quality programs and expects quality programs for children in
17 any neighborhood in every way, shape and form.

18 CHAIRPERSON CROSS REID: That was my
19 understanding of what I heard from the applicant, that that was
20 the intention.

21 MR. KRIEGER: Well, myself as a resident and many
22 other people who have signed our petition don't --

23 CHAIRPERSON CROSS REID: Maybe it's philosophical
24 differences.

25 MR. KRIEGER: Maybe, but I don't feel that this

1 program can offer that kind of quality. Does that address your
2 question?

3 BOARD MEMBER RENSHAW: Madam Chair, I would like
4 to ask Shayna Veazie what she would recommend would be suitable
5 programs for her community since you don't feel that the church
6 has adequately addressed your needs as you've been growing up.

7 MS. VEAZIE: What I can say is that there are
8 adequate facilities in the neighborhood. There's Latin
9 American Youth Center, there's Calvary Bilingual Multi-cultural
10 Learning Center, there's a boys and girls club down the street.
11 I'm not sure of all the other names, but there are several
12 things and, if I survive, I'm sure that other children that are
13 coming up now can survive without the church. That's all I can
14 say.

15 MS. HINTON: I have one more question for Mr.
16 Krieger and I think Mr. Kline spoke to this, too, so you could
17 answer after he does. Your hesitancy or concern with the
18 church operating this program is based on what? Can you tell
19 me?

20 MR. KRIEGER: I live at 1309 Irving Street and
21 I'm living three doors away from the church. I've been a
22 resident of Columbia Heights for 13 years and, during that
23 time, I lived next to 1305, 1307, the houses that were run
24 before as a center for senior citizens. During that time, and
25 I believe this program was operated under the umbrella for the

1 church, the church was renting these properties to another
2 concern that was operating these programs for senior citizens,
3 but I thought there were nonprofessionals on staff. I
4 questioned the quality of care that these people were getting.

5 Many of these people were mentally handicapped and some of
6 them were mildly physically handicapped also. In the closing
7 years in the running of those facilities, there were problems
8 with alcohol abuse among patients, and the facilities actually
9 closed, I believe, after having two fires.

10 I'm looking back on the track record of the
11 church's not being a very good neighbor as leasing and being
12 the umbrella over this facility and also the other concerns
13 that the neighborhood has addressed over the years. When we
14 were having neighborhood meetings and couldn't find a facility
15 to hold our neighborhood meetings in, the church was approached
16 and we were refused space to have community meetings in the
17 church. We were meeting on issues about drug abuse in our
18 neighborhood. We were meeting on prostitution that was taking
19 place in our neighborhood. We were meeting on boarded up
20 properties in our neighborhood that people were coming into and
21 starting fires. We were trying to build a foundation for
22 community and community support, trying to also plant some
23 seeds for planning and thinking about the future, getting
24 people motivated to the future and united for a future in
25 Columbia Heights. I didn't find the church a neighbor in this

1 respect, and I didn't find them contributing to this positive
2 direction and for the future development of all the residents
3 of Columbia Heights.

4 MS. HINTON: Thank you.

5 MR. KRIEGER: You're welcome.

6 CHAIRPERSON CROSS REID: Okay.

7 MR. KLINE: I guess I would only add that my
8 concerns in this context are twofold. One is I saw over a
9 period of many years the condition of the properties
10 deteriorate. They weren't well-maintained, and they still
11 aren't. They've got broken windows, as I said, and the paint
12 is peeling and they're generally in disrepair.

13 And the other thing is that I still don't believe
14 that the church has any real history in running this kind of
15 program, and I think based on the way the program that they
16 leased to during the 1980s and '90s was conducted, I don't know
17 that they're really in a good position to supervise this
18 community center.

19 MS. HINTON: Thank you.

20 CHAIRPERSON CROSS REID: Okay. Thank you very
21 much.

22 Closing remarks by the applicant.

23 MS. ALEXANDER: Just briefly. First, we'd like
24 to allow Mr. Bonner to address the comments that were made and
25 the, I guess, confusion surrounding the advisory board versus

1 holding quarterly meetings.

2 MR. BONNER: The reason we did not endorse an
3 advisory board to the church is that at some point in time
4 you'll end up advising the church as to what they can with this
5 religious practices. These groups become very political. We
6 thought that the best way to do it was to meet with anyone in
7 the community that wanted to meet to discuss any issue that
8 they might have with regard to that service center. Things
9 become too political, and you can hear it in a lot of
10 conversations and so forth here and over the Internet. All the
11 politics that goes on in these community groups. We don't want
12 to get caught up in that. But we will be willing, more than
13 willing, to hold quarterly meetings or meetings to address any
14 concern that a resident might have. We are right there. The
15 church is wide open for anybody that wants to come to it. I'm
16 there every day. People see me walking around the community.
17 They can talk to me any time they want to. I haven't tried to
18 stop them. So we're wide open, but we don't want to get a
19 group that we know that can politicize this whole process
20 because we don't want to get caught up in that. But we'd be
21 willing to meet with any residents on a quarterly basis, as
22 many as possible, to address any concern they might have about
23 the operation of the center.

24 One other thing that we need to really get clear
25 on so you all know. Since I've been in the position of

1 responsibility at that church, now more than 12 years, I have
2 not been approached by any member of that community about
3 holding a community meeting. When people ask us to hold --
4 we've held community meetings there, but no one ever approached
5 me individually since I'm somewhat one of the responsible
6 persons to do this. No one approached me at all, and I'm there
7 every day carrying out some of the mandates of the church.

8 We've had a church newsletter that we passed out
9 to about 2,000 people in that community. What happened to
10 them? We don't know. We have -- you know, obviously, churches
11 tend to door knock, so we've door knocked, but you get slammed
12 in the face by going to someone's house and asking them to come
13 to church. But we've invited people to church. You're
14 perfectly welcome to come to church there any time to
15 participate in what we do, and that's always open. We would be
16 foolish to -- since that's one of our responsibilities -- try
17 to keep anybody from coming to church if they so desire.

18 Let me run down the list of things that the -- so
19 we don't mind having community meetings. Anybody can have
20 access to me at any time. I'm there and so forth. So we have
21 no problem with that. Let me start at the bottom about the
22 property that was boarded up.

23 Obviously, we all know there's a bunch of
24 properties in D.C. that's been boarded up for years. The
25 church does not own a lot of abandoned property. I wish we

1 did, but we don't. There was some houses on Irving Street and
2 13th Street that's been boarded up for more than 12 years.
3 When I got a chance to develop that property and back here in
4 October when I got the title transferred to the 13 Irving
5 Development Group, three of those houses are under development
6 and they'll be all completed, rehab'd by the end of the year.
7 But the church had nothing to do with that. The church does
8 not own a lot of abandoned property, boarded up property.
9 That's totally false and so let me set the record straight on
10 that.

11 It's interesting to say that the church is in
12 substantial need of renovation and repair because that's
13 totally false. When the person moved out of the building
14 because he got tired of running, not because there was a fire
15 in the church, he was old, he was at time to retire and move
16 on, he was tired of the houses and so forth, of taking care of
17 seniors because of the condition that they was in, he resigned
18 from his job and he closed, turned the facility back over to
19 us. When he did close down and moved out his furniture and so
20 forth, one of the windows was knocked out. Tomorrow sometime
21 all the windows are going to be replaced. That's about the
22 only one that's out. The one that's out next to the building
23 was just knocked out a few days ago because someone was trying
24 to get in there and find a place to sleep. That's going to be
25 taken care of tomorrow or so.

1 I don't know, I can't recall any time when anyone
2 asked us for help with regards to the prostitution. We're just
3 concerned about it also because they solicit the members of the
4 church. We can not stop them. -- get from behind the stained
5 glass windows and reach out to the community and put our
6 resources back into the community. Our members happen to have
7 a lot of skills. They're well-educated and so forth, so
8 they're not fly-by-night. They have a lot of skills they can
9 provide to this community, and we want to do that through this
10 community service center.

11 When senior citizens and others were experiencing
12 failure of health and their families were overwhelmed with the
13 requirement of their care, the church now responds to any acts
14 of kindness. We gave the -- Foundation more than \$200,000 and
15 not charged them for rent to take care of some of the seniors
16 that was in the community. We don't have a large church and we
17 don't have facilities to take care of anyone but since these
18 facilities came available, we now can do something with those
19 facilities.

20 What we do do, and we don't like to say it --
21 I've said it before -- we give people money all the time. We
22 don't like to advertise it, but when someone comes to us with a
23 need, we take care of that need. But we don't advertise it
24 because we'd be overrun by requests.

25 So I just want to set the record straight. The

1 church does not own a lot of boarded up houses. Those houses
2 were turned over the 13 Irving Development Group and at this
3 point in time, three will be completed in May and the rest of
4 them will be completed by the end of the year. That's just how
5 fast we moved on them. But when you get yourself caught up in
6 the process with the District, it takes years to get your
7 titles taken care of and so forth. So that's what happened.
8 But when we got titles to them, we went right into rehabbing
9 those properties.

10 MS. ALEXANDER: I'm sure, as the Board can see,
11 Mr. Bonner is --

12 MR. BONNER: Let me just say one other thing.

13 MS. ALEXANDER: -- is actually very passionate
14 about this.

15 MR. BONNER: Yes, I am passionate about this.
16 There was no one evicted from these properties. The government
17 evicted these people from the property because they were
18 abandoned, boarded up, dangerous properties. So they had to
19 get them out and board them up. When we found out, we went to
20 those people, went to some of those homeless people in the
21 community to try to help them find places to stay. But they
22 were in pretty bad shape, so they went to a place where they
23 could get that help. We offered to help. About 10 of us put
24 in our confidential some kind of application for the home down
25 the street from us and asked them to check out the members'

1 background, but we never heard anything back. But we was
2 trying to volunteer to help the home down the street from us to
3 volunteer to be mentors to those kids, but we never heard
4 anything back.

5 So I just want to set the record straight that we
6 have been -- our property is not in disarray. The property has
7 just been used by -- Foundation. They kept the property up.
8 Now they're gone. We've gone and started painting and fixing
9 it up and so forth. We hope that we can use it again. Now, if
10 we really wanted to, were selfish, we could have sold the
11 property. We get all kinds of offers, but we wanted to provide
12 a service to the community. It's easy to sell it and get out.
13 We don't want to do that.

14 MS. ALEXANDER: So, as you can see, Mr. Bonner
15 feels very passionate of the issue on behalf of the church, and
16 that's actually where I'd like to start off with addressing
17 some of the neighbors' concerns as opposition witnesses that
18 the church is trying to establish a record in the community now
19 and address the needs that I do hear the community members
20 articulating and that it has actually, as you saw today with a
21 representative from Parents Striving for Joy testifying here,
22 the church has already partner'd with organizations in the
23 community.

24 Continuing from that, it was improperly presented
25 and there has been confusion back and forth on this so, to

1 clarify it for the record, this community service center is not
2 limited in any way to members of Columbia Heights Village
3 Apartments. As it's been explained to the community, Parents
4 Striving for Joy would be relocating some of their services
5 into that building. There services primarily target at this
6 current time Columbia Heights Village Apartment children
7 because they don't have any other space to reach out into the
8 community and also, as I hope we've made clear but perhaps not,
9 the church is also going to provide community service center
10 programs in that space. Those are also going to be open to the
11 community. The teen crisis intervention, the professional and
12 pastoral counseling. So I hope that that isn't a concern. I
13 know Mr. Krieger has raised it on a couple of other occasions
14 at the meetings he's attended, and we have tried to clarify
15 that, but I can see where the confusion might still continue.

16 Additionally, the church at the last ANC meeting
17 also expressed a willingness to work with the other
18 organizations. At that time, another gentleman who works with
19 the Columbia Heights Village Apartment, together in conjunction
20 with Mr. Brill who testified here today, explained there and I
21 guess it wasn't reflected in the ANC report, that they already
22 do partner with other organizations in the community. They
23 actually have mural projects that they work on with the LAYC
24 and, as Mr. Bonner has expressed here today, they are willing
25 to work and, in fact, Mr. Myers and I have called when we got

1 the first concern from the residents that there was an overflow
2 of these types of services within 200 square feet, we worked to
3 identify those and we did place telephone calls to the LAYC,
4 Sojourners, Change Inc., all of the organizations that we could
5 identify in the area based on the addresses given to us and
6 none of those people have returned our calls. So I know we
7 have put them on notice as to what we were doing and that we
8 would like their input. We explained who we were, that we were
9 representing the church, that we were looking to do this and,
10 to date, we haven't received any calls back.

11 And then finally, just to address the issue of
12 the needs analysis and the needs assessment. In addition to
13 the Urban Institute report which, as we said, has highlighted
14 for the past two years a number of the problems in the
15 community, this is what we were attempting to do at the
16 neighborhood meeting that we sent notice for on March 1st
17 because the church has expressed a willingness and at that time
18 we had a neighborhood survey prepared that the neighbors could
19 take with them ranking in priority what programs were most
20 important to them. As we said, not many neighbors showed up
21 but, of the ones that did, they did not take a survey and
22 complete it and give us their input. But that's still open.
23 We're still happy to circulate that if the neighbors express an
24 interest in it. But we have tried at every turn to address the
25 neighbors' concerns and express a willingness to work with

1 them.

2 You've heard a lot of testimony about the future
3 of the children, and we would just say that this applicant is
4 looking actually after the future of the children in this area,
5 and we do recognize that the neighbors have a lot of other
6 concerns but the church is only equipped to address the
7 property it controls. There was concern that the church didn't
8 step in when there were shootings in the neighborhood and
9 concerns of that matter, and we'd just like to reiterate that
10 while the church is concerned about these, they don't have a
11 place in dealing with those specific types of social problems,
12 though they would like to work with the neighbors to improve
13 the neighborhood.

14 I guess finally just to address the point that I
15 don't know if the Board is concerned about, although there was
16 some mention about the programs and changing and evolve, and I
17 would just address the opposing witnesses' concerns that the
18 reason the message has evolved over time has been we've tried
19 to incorporate the concerns, not only of the ANC in its first
20 meeting, but also the neighbor concerns. At the first ANC
21 meeting, some of the ANC commissioners were concerned about the
22 scope of their proposal and, since that time, it had been
23 winnowed down to more manageable.

24 At this time, I think I'm going to turn it over
25 to Mr. Myers who has a few other points of clarification based

1 on some of the witnesses' testimony.

2 MR. MYERS: I just had a couple of quick points I
3 wanted to make. We do concur with the opposition. We think
4 there are approximately -- if you do the calculations -- that
5 there should be between 13 and 14 spaces that should be
6 allocated to the building. I just wanted to clarify that.
7 That's our position, as well.

8 And the other point I wanted to make was again to
9 reiterate that there is a lot of concern about the number of
10 services in the area, but in fact that we feel, just citing
11 again the Gladden case for the Board of Zoning, that it's
12 actually the number of services is not relevant to granting the
13 special exception. Again, the only consideration should be
14 where they have an adverse impact. So I just wanted to
15 reiterate our belief in that principle.

16 Finally, I just want to point out the ANC did
17 have the information about what programs we were running and
18 the hours of operation of the building in front of them in
19 detail in a letter that we had drafted to them when they were
20 deliberating on this case on March 21st and, with that
21 information, they did go forward with the Commission. So I
22 just wanted to reiterate that. Thank you.

23 MS. ALEXANDER: And that's actually Exhibit F in
24 the memo that we submitted to you, the letter to the ANC,
25 because they did ask specifically about the programs and the

1 staffing and the hours of operation. On page two of Exhibit F,
2 #3 is a schedule for program offerings that gives hours of
3 operation as well as, to the best of our knowledge, who would
4 be staffing those programs currently. We'd be happy to
5 articulate that further, but what we want to emphasize again is
6 that we feel we've met the legal requirements. The neighbors
7 have been mentioning a lot of other concerns which we do think
8 they're valid but looking back to Section 334, those four
9 points, we feel that we have satisfied those and that the
10 opposition that the neighbors have articulated here doesn't
11 mitigate that.

12 And finally, just to clarify as well that the
13 services that they're saying are already in the area are
14 community based residence facilities. They're group homes.
15 They're not community service centers. And what the Gladden
16 case suggests is that you look to similar facilities and,
17 clearly, these community based residence facilities are not
18 similar facilities. So looking to their adverse impact in this
19 case is not directly relevant.

20 Do you have anything else you want to say, Mr.
21 Bonner? No. Okay. Unless there are any other questions that
22 the Board has for us at this time.

23 CHAIRPERSON CROSS REID: I do have a couple more
24 questions before we wrap, and that is in regard to some of the
25 testimony here today I'd like Mr. Bonner to speak to. There

1 was testimony that the church had not been involved previously
2 in community programs, and I just wish that you would summarize
3 for me if there were any community outreach programs that the
4 church sponsored and, if so, what were they over the years?

5 MR. BONNER: What we have tried to do because
6 we're a little concerned about getting involved in the politics
7 of things, and we haven't done all we could in terms of
8 community outreach. What we tend to do is that we give away
9 clothes, we give away food, and we give away money to people
10 that come to us and ask. That's what we call our outreach, and
11 making sure that the people that come to us for need, we give
12 it to them. But we don't like to advertise it because, you
13 know, and once we start giving it away, people will tell their
14 friends.

15 CHAIRPERSON CROSS REID: I understand that.

16 MR. BONNER: But we don't have what you call a --

17 CHAIRPERSON CROSS REID: Ongoing kind of--

18 MR. BONNER: No.

19 CHAIRPERSON CROSS REID: You have not -- well,
20 you said you feed people. You mean like provide meals or food?

21 MR. BONNER: No, it's food. We have a food
22 pantry. Someone comes to us, we give them a basket of
23 groceries or something like that and some money to go out and
24 buy some staples that they need to go with it.

25 CHAIRPERSON CROSS REID: Okay.

1 MR. BONNER: Or if they need just money for
2 medication or something.

3 CHAIRPERSON CROSS REID: Have you ever had any
4 child care program there?

5 MR. BONNER: No. We never had the facility.

6 CHAIRPERSON CROSS REID: Or any other type of
7 outreach that are typical in an inner city such as NA or AA
8 meetings?

9 MR. BONNER: We had an AA program there that they
10 ran for weeks and finally, it's closed down.

11 CHAIRPERSON CROSS REID: Well, I'm just trying to
12 garner what type of programs typically would be.

13 MR. BONNER: We was a little concerned about
14 that, too, but yes, we had an AA program that people come there
15 for meetings and so forth.

16 CHAIRPERSON CROSS REID: Okay. Now, the other
17 thing is what percentage of the community residents, adults and
18 children, do you anticipate that would participate in your
19 program? What percentage? Just rough. I mean I don't know
20 you don't have it exactly, but in your written submission it
21 was saying that the parking issue was not such a large issue
22 because people and children would be able to walk to the
23 facility and I heard some other testimony that they were not
24 necessarily people in the community, but I need to get an idea
25 as to what percentage do you anticipate servicing of the

1 community?

2 MR. BONNER: About 70 percent?

3 MS. ALEXANDER: I think we're misunderstanding
4 whether you're asking of the total community or how many of the
5 people served will be community residents?

6 CHAIRPERSON CROSS REID: How many of the people
7 served will be community residents?

8 MR. BONNER: It's 100 percent. It's only from
9 the community. We're concerned about Columbia Heights, Ward 1,
10 because if we go after some grants or something, if they say if
11 you get this grant, you have to serve someone from anywhere.

12 CHAIRPERSON CROSS REID: So your target is 100
13 percent Columbia Heights around the church.

14 MR. BONNER: Ward 1, Columbia Heights. Right.

15 CHAIRPERSON CROSS REID: Okay. And the last
16 question was there was some testimony regarding involvement in
17 planning, community planning and Columbia Heights. My question
18 is how long before you actually submitted your application was
19 this particular proposal or application in progress? How long
20 did it take to get to this point?

21 MR. BONNER: About a year and a half. What
22 happened is that --

23 CHAIRPERSON CROSS REID: Wait a minute. Okay.
24 But during that year and a half, did you have planning sessions
25 to get to the point of determining what in fact you were going

1 to do or what you needed to do?

2 MR. BONNER: Let me explain this way. We had
3 access to all this information from Department of Housing and
4 Community Development. We have information from the -- we were
5 just basically doing the research and then we looked at the
6 information from the Urban Institute. We just did some of the
7 research to see what the needs were. What we were astounded
8 about was that what we wanted to do mirrored what Parents
9 Striving for Joy wanted to do without ever talking with them.
10 So it was basically just doing research. Looking at doing
11 analysis, looking at some of the planning documents that came
12 from the housing department and so forth.

13 CHAIRPERSON CROSS REID: Okay.

14 MR. BONNER: But we didn't go out and enlist a
15 group. We talked a lot with Bob Moore's group, D.C.
16 Development Corporation of Columbia Heights, about some of the
17 needs. But we had access to the information. Several
18 proposals, full-fledged proposals emerged and I went ahead and
19 submitted one of those proposals and got funding for it and
20 found out I didn't have any place to house these programs so I
21 pulled it back.

22 CHAIRPERSON CROSS REID: Okay. My last question
23 is in regard to trash disposal and pickup, do you have
24 dumpsters?

25 MR. BONNER: Yes.

1 CHAIRPERSON CROSS REID: You serve meals or you
2 serve snacks there.

3 MR. BONNER: Yes. It's a dumpster. The trash
4 people come through, I think it's every Monday, and pick up the
5 trash behind, in back of the church. So we have trash
6 collection.

7 CHAIRPERSON CROSS REID: Okay. What about do you
8 have delivery trucks come to your facility to deliver supplies
9 or food?

10 MR. BONNER: No, because we never had to do it
11 yet, but we have UPS trucks and FedEx and that kind of stuff
12 bringing packages and so forth, but not food. Mr. Thomas, what
13 he did -- Foundation, would go out and buy the food himself
14 because he had a van and bring it in through the back.

15 CHAIRPERSON CROSS REID: Okay.

16 MR. BONNER: But we never had to do that.

17 CHAIRPERSON CROSS REID: Okay. Thank you. Any
18 other questions?

19 BOARD MEMBER RENSHAW: Just one last. Mr.
20 Bonner, do you have an elevator in your buildings?

21 MR. BONNER: No.

22 BOARD MEMBER RENSHAW: In neither building.

23 MR. BONNER: No.

24 BOARD MEMBER RENSHAW: Okay. Thank you.

25 BOARD MEMBER MITTEN: Madam Chair, I had one

1 question to piggyback on the question that you asked about
2 trash removal. So are you suggesting that the trash removal
3 for this facility is going to be through the dumpster that's at
4 the church?

5 MR. BONNER: The city comes through every Monday,
6 I believe, to pick up these trash cans.

7 BOARD MEMBER MITTEN: Super can?

8 MR. BONNER: Yes.

9 BOARD MEMBER MITTEN: Well, they did that for
10 private residences but your facility wouldn't be served by
11 that.

12 MR. BONNER: We will probably hire a private
13 contractor to come in and pick the trash up.

14 BOARD MEMBER MITTEN: We'll want to make that a
15 condition.

16 MR. BONNER: Okay.

17 BOARD MEMBER MITTEN: Then I just want to maybe
18 get a little more clarity on the comment that you made that the
19 church doesn't own a lot of abandoned properties. What other
20 properties besides the church itself and 1305 and 1307 Irving
21 Street does the church own?

22 MR. BONNER: That's it.

23 BOARD MEMBER MITTEN: That's all the church owns.

24 MR. BONNER: That's all.

25 BOARD MEMBER MITTEN: Okay. Thank you.

1 CHAIRPERSON CROSS REID: All right. Thank you
2 very much.

3 Board Members, if there are no other questions,
4 what is your pleasure with the case? Do you want to dispose of
5 it today?

6 BOARD MEMBER MITTEN: Madam Chair, I think there
7 was some additional information that we had asked for or at
8 least that I had asked for. I'd still like some more research
9 done about that whole issue.

10 CHAIRPERSON CROSS REID: The parking?

11 BOARD MEMBER MITTEN: About the certificate of
12 occupancy and that actually does relate to the parking, so that
13 needs to be clarified. And then Mr. Bonner was going to
14 provide us with a list of maintenance projects that will
15 basically be proffered as being completed if they receive the
16 special exception approval for the community services facility.

17 And then there's the issue about amending the application
18 perhaps for the issue related to parking and certainly for the
19 issue related to the inclusion of the basement. And maybe Ms.
20 Hinton is going to ask for this, but the lack of specified
21 about the number of students and so forth is a concern, and I
22 think just waiting to find out what the capacity is from the
23 fire marshall is really not going to suit our purposes. So
24 we'll need to have a greater level of specificity about number
25 of students, and we spoke somewhat today about number of staff.

1 In order for us to be able to evaluate the impact on the
2 community, we really do need to know how many people will be in
3 the facility at any given time and it's within the purview of
4 this Board to limit the occupancy of the buildings to something
5 less than their full capacity, according to the fire marshall.

6 So I think there's some additional information that needs to
7 come into the record.

8 CHAIRPERSON CROSS REID: Okay. The number of
9 persons to be served -- the number of persons in the facility
10 at any one time, that's staff, and we talked about no more than
11 four staff but we didn't have --

12 BOARD MEMBER MITTEN: I think a minimum of four
13 staff.

14 CHAIRPERSON CROSS REID: I'm sorry. You're
15 right. A minimum of four staff and -- a minimum?

16 BOARD MEMBER MITTEN: The idea is to have a
17 minimum number of responsible persons at the property at any
18 given time.

19 CHAIRPERSON CROSS REID: Okay, but also we want
20 to have some idea of the impact as to containing the number.

21 BOARD MEMBER MITTEN: True. I mean I think we
22 need to know --

23 CHAIRPERSON CROSS REID: Minimum and maximum
24 maybe.

25 BOARD MEMBER MITTEN: I think we need a minimum

1 number of staff and a maximum number of what we could call
2 clients because we want to make sure, A) in order for us to
3 determine whether four staff on site is sufficient, we need to
4 know how many children or people that are being trained or
5 whatever will be.

6 CHAIRPERSON CROSS REID: I think that in the
7 regulations, if we go by the regulations as it pertains to
8 child care centers perhaps, so many staff people per child to
9 get our arms around how many, Ms. Sansone, how many staff would
10 be a number.

11 MS. SANSONE: Madam Chair, I think because some
12 of their programs are adult, they're serving adults and
13 families, maybe that's really not the best. I mean we could
14 look at as an analogy --

15 CHAIRPERSON CROSS REID: I'm just trying to think
16 of something to guide us as to what would be acceptable or
17 unacceptable or what have you. I really don't know. Maybe Mr.
18 Jackson, do you have any idea?

19 MR. JACKSON: No.

20 CHAIRPERSON CROSS REID: Okay. Well, that has to
21 be determined somehow and that's something --

22 BOARD MEMBER MITTEN: We can use our best
23 judgement to determine whether it's adequate but, at the
24 moment, we don't even know what it is.

25 CHAIRPERSON CROSS REID: That would be a function

1 of the number of persons that would be allowed on the facility
2 at any given time.

3 BOARD MEMBER MITTEN: Yes.

4 CHAIRPERSON CROSS REID: We don't have that
5 number.

6 BOARD MEMBER MITTEN: Correct.

7 MS. ALEXANDER: If I could just speak to that.
8 Part of the nature of the programs is that it's transitory, but
9 I did just want to clarify for our purposes so we know the
10 information that you want, if Exhibit F, page two isn't
11 sufficient. There we do set out that it'll be 25 to 30
12 children during the winter between the hours of 3:30 and 5:30
13 and the summer 4:00 to 6:00.

14 CHAIRPERSON CROSS REID: Twenty five to 30
15 children?

16 MS. ALEXANDER: Twenty five to 30 kids.

17 CHAIRPERSON CROSS REID: Okay. Then also you
18 have the adult portion.

19 MS. ALEXANDER: Right, and that -- I mean we
20 could set an upper limit, as we have with high tech training
21 capacity, 10 people. But the church on any given day can't say
22 how many people would drop by for counselling but we could --

23 CHAIRPERSON CROSS REID: No. I think that the
24 idea is to contain it to no more than at any given time.

25 MS. ALEXANDER: Okay. So we should supplement

1 this information.

2 CHAIRPERSON CROSS REID: Yes.

3 Was there anything else that we would like to
4 have them submit?

5 MS. SANSONE: Madam Chair, I think we need the
6 parking agreement.

7 CHAIRPERSON CROSS REID: For the --

8 MS. SANSONE: To provide the off-site parking
9 spaces.

10 CHAIRPERSON CROSS REID: Right, and also if, in
11 fact, there is an agreement struck with the school across the
12 street, that as well to demonstrate that there would be
13 adequate parking made available to you and at what hours and
14 over what period of time.

15 BOARD MEMBER RENSHAW: And also the plans for
16 security at the building.

17 MS. ALEXANDER: That's in the ANC report.

18 BOARD MEMBER RENSHAW: Yes.

19 CHAIRPERSON CROSS REID: Security I think would
20 also tie into the caretaker.

21 BOARD MEMBER RENSHAW: Yes.

22 MS. ALEXANDER: Okay.

23 MS. BAILEY: Madam Chair, I'm not quite sure if
24 you want something about trash pickup. The applicant indicated
25 that they would be hiring a private contractor. I'm not quite

1 sure if you need verification.

2 CHAIRPERSON CROSS REID: Usually, the wording is
3 something like trash pickup as needed or as required or as
4 necessary or something like that.

5 MS. BAILEY: I guess the point I was trying to
6 make is I'm not quite sure if you wanted the applicant to
7 provide something in writing.

8 CHAIRPERSON CROSS REID: Well, that can just be
9 made a condition.

10 BOARD MEMBER MITTEN: Maybe what would be
11 helpful, since we really don't have anything like a site plan
12 for this, is to determine how is trash going to be handled and
13 where on the site since right now we don't know where that is.
14 We know they don't have any capacity to park cars.

15 CHAIRPERSON CROSS REID: We know there's a
16 dumpster in the rear of the facility.

17 BOARD MEMBER MITTEN: That's behind the church.

18 CHAIRPERSON CROSS REID: Wait a minute. Maybe I
19 didn't understand that. The trash that will be generated from
20 these two buildings are going to be disposed of at the church?

21 BOARD MEMBER MITTEN: Well, that's what requires
22 clarification.

23 CHAIRPERSON CROSS REID: Mr. Bonner, can you
24 please come up because I thought you were saying the dumpster
25 was the dumpster behind the building itself, these two

1 buildings.

2 MR. BONNER: Down the alleyway, there's a fence
3 where we put out the trash every, I think every Monday or
4 something like that, and the trash truck comes through going
5 down the alley picking up trash. But it's not behind the
6 church.

7 CHAIRPERSON CROSS REID: I think the point that's
8 being made is that with the building, if in fact this
9 application were approved, there would be considerably more
10 trash that would have to be disposed of. That may not be
11 adequate.

12 MR. BONNER: Yes.

13 CHAIRPERSON CROSS REID: So I think that Ms.
14 Mitten is asking for the site plan to show where. It should be
15 on site. Is there a space back there?

16 MR. BONNER: Yes, there's space back there. It's
17 fenced in.

18 CHAIRPERSON CROSS REID: Any other questions or
19 any other requests? The audience, that segment is over so
20 there is no more testimony on the part of the audience. They
21 have already had their opportunity to speak on this matter.

22 MS. ALEXANDER: I guess one of our last questions
23 of the Board would be time to submit this, when you'd like to
24 see this information by.

25 CHAIRPERSON CROSS REID: Time frame. First of

1 all, I guess we would then make our determination in this
2 particular case at our next regularly scheduled meeting.

3 MR. HART: Okay. Madam Chair, I would assume you
4 would want to make a decision at the May 1 meeting. So this
5 information, we would request that it would be here no later
6 than April 25th.

7 CHAIRPERSON CROSS REID: Okay. Are there any
8 other questions? Comments?

9 BOARD MEMBER RENSHAW: Just to explain to the
10 community that while we are asking for all of this information
11 from the applicant, we want to make sure that everyone
12 understands that this case has not been decided upon today,
13 that it will be May 1 when the Board comes back in session and
14 we have a chance to debate back and forth and to make a motion
15 as to voting one way or another. So I want to make that very
16 clear to you.

17 CHAIRPERSON CROSS REID: All right. If there are
18 no more questions, no more comments, then this meeting would be
19 adjourned today. Thank you.

20 (Whereupon, the meeting was adjourned at 4:34
21 p.m.)
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